Prince Edward Island
CANADA

Environment, Labour and Justice

Annual Report

For the Fiscal Year April 1, 2013 to March 31, 2014

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**Environment,
Labour and Justice**

Message of the Minister / Message de la ministre

The Honourable H. Frank Lewis
Lieutenant Governor
Province of Prince Edward Island

May It Please your Honour:

I have the honour to submit herewith the annual report of the Department of Environment, Labour and Justice and Attorney General for the fiscal year ending March 31, 2014.

Respectfully submitted,

L'honorable H. Frank Lewis
Lieutenant-gouverneur de
l'Île-du-Prince-Édouard

Qu'il plaise à Votre Honneur

J'ai le privilège de vous présenter le rapport annuel du ministère de l'Environnement, du Travail et de la Justice et procureure générale pour l'exercice financier se terminant le 31 mars 2014.

Janice Sherry,
Minister of Environment, Labour and Justice and Attorney General
Ministère de l'Environnement, du Travail et de la Justice et procureure générale

Deputy Minister's Overview / Tour d'horizon de la sous-ministre

The Honourable Janice Sherry
Minister of Environment, Labour and Justice
and Attorney General
Province of Prince Edward Island

Honourable Minister:

It is my pleasure to present the annual report of the Department of Environment, Labour and Justice and Attorney general for the fiscal year April 1, 2013 to March 31, 2014. The report contains highlights and a general description of the work carried out by the department.

The year proved to be busy, with many note-worthy accomplishments.

Respectfully submitted,

L'honorable Janice Sherry
Ministère de l'Environnement, du Travail et de la Justice et procureure générale
Province de l'Île-du-Prince-Édouard

Madame la Ministre

J'ai le plaisir de vous présenter le rapport annuel du ministre de l'Environnement, du Travail et de la Justice et procureure générale pour l'exercice s'étalant du 1 avril 2013 au 31 mars 2014. Ce rapport contient des faits saillants et une description générale du travail réalisé par le Ministère.

Cette année a été occupée et marquée par de nombreuses réalisations notables.

Je vous prie d'agrée l'expression de mes sentiments distingués.

Michelle Dorsey
Deputy Minister of Environment, Labour and Justice and Deputy Attorney General
Sous-ministre de l'Environnement, du Travail et de la Justice et sous- procureure générale

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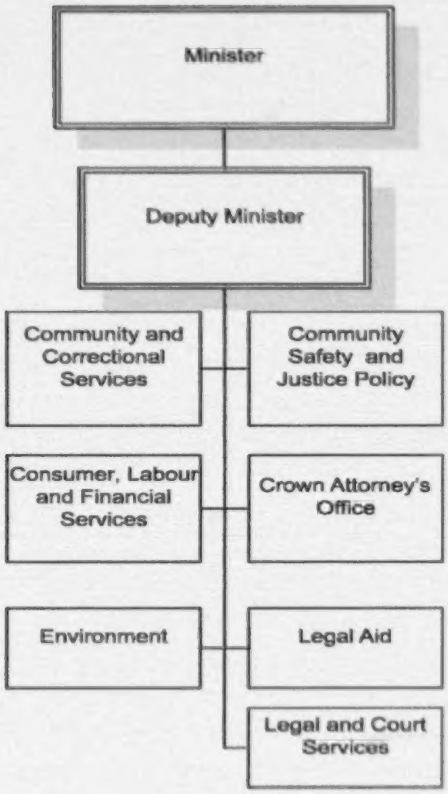
Department Staff Summary

Environment, Labour & Justice Employees
(as of March 31/14)

	Full Time	Part Time
Minister/Deputy Minister's Office	4	0
Legal & Court Services	75	3
Consumer, Labour & Financial Services	20	1
Crown Attorney's Office	12	0
Community & Correctional Services	163	34
Community Safety & Justice Policy	28	4
Legal Aid	15	0
Environment	73	9
Total	**390**	**51**

In addition to the above established positions, the department employed 104 casual employees and 22 students during the fiscal year 2013/14.

Organizational Chart
2013-2014



2013/2014 DEPARTMENT FINANCIAL SUMMARY

	Original Budget	Revised Budget	Actual
REVENUE			
Minister/Deputy Minister's Office	$ -	$ -	$ 450
Environment	$ 2,714,000	$ 2,714,000	$ 2,723,076
Consumer, Labour & Financial Services	$ 24,718,600	$ 24,718,600	$ 25,337,635
Community Safety & Justice Policy	$ 2,338,400	$ 2,456,900	$ 4,272,575
Legal Services	$ 359,900	$ 359,900	$ 298,310
Legal Aid	$ 519,900	$ 519,900	$ 534,873
Crown Attorneys	$ 26,000	$ 26,000	$ 26,050
Community & Correctional Services	$ 2,716,000	$ 2,945,000	$ 2,799,575
Court Services	$ 2,947,500	$ 2,947,500	$ 3,024,916
Gross Revenue	**$ 36,340,300**	**$ 36,687,800**	**$ 39,017,460**
EXPENDITURE			
Minister/Deputy Minister's Office	$ 471,300	$ 473,100	$ 424,756
Environment	$ 12,416,700	$ 12,440,600	$ 12,087,293
Consumer, Labour & Financial Services	$ 1,898,600	$ 1,906,000	$ 1,800,565
Community Safety & Justice Policy	$ 19,794,500	$ 19,924,200	$ 20,310,409
Legal Services	$ 3,682,000	$ 3,697,300	$ 3,544,677
Legal Aid	$ 1,717,000	$ 1,723,700	$ 1,590,686
Crown Attorneys	$ 1,271,200	$ 1,276,600	$ 1,226,154
Community & Correctional Services	$ 15,597,600	$ 15,891,300	$ 15,568,714
Court Services	$ 3,750,700	$ 3,790,600	$ 3,645,034
Gross Expenditures	**$ 60,599,600**	**$ 61,123,400**	**$ 60,198,288**
NET EXPENDITURES	**$ 24,259,300**	**$ 24,435,600**	**$ 21,180,828**

Environment Division

Watershed and Subdivision Planning Section

The Watershed and Subdivision Planning section administers the Watershed Management Fund (WMF) that provides technical and financial assistance to community watershed organizations that are working on watershed restoration and/or watershed planning. In 2013, 21 watershed groups were funded through this watershed management initiative, awarding a total of $803,000 to community groups. Priority funding areas continue to include watershed plan preparation, facilitation and strategic planning, and building capacity of watershed organizations. By 2013, 23 community-based watershed management plans had been developed.

Watershed Management Fund Awards 2013-14

Watershed Group Name	2013-14 Award Amount	Contract Length
Arsenault's Pond Improvement Committee	$37,608	1 year
Cascumpec Bay Watershed Association Inc.*	$29,020	1 year
Central Queens Branch of the PEI Wildlife Federation	$38,800	3 years
Cornwall & Area Watershed Group	$10,923	1 year
Ellen's Creek Watershed Group	$ 9,118	1 year
Friends of Covehead-Brackley Bays Ltd.	$30,811	1 year
Harmony & Area Watershed Enhancement Group	$32,255	1 year
Hillsborough Area Watershed Cooperative (HAWC)	$86,912	3 years
Hunter Clyde Watershed Group	$31,566	1 year
Kensington North Watersheds Association Ltd.	$46,543	3 years
Lot 11 and Area Watershed Management Group	$26,781	1 year
Morell River Management Co-operative	$54,805	3 years
Richmond Bay Watershed Association Inc	$40,448	1 year
Roseville/Miminegash Pond Enhancement Committee**	$37,259	1 year
Souris & Area Branch of the PEI Wildlife Federation	$83,905	3 years
South Shore Watershed Association	$33,950	3 years
Trout River Environmental Committee Inc.	$34,668	1 year
Trout Unlimited Prince County Chapter	$45,339	3 years
West Point Community Enhancement Committee	$34,153	1 year
Wheatley River Improvement Group Inc.	$31,304	1 year
Winter River-Tracadie Bay Watershed Association Inc.	$22,181	1 year
PEI Watershed Alliance	$ 4,850	NA
Total	**$803,197**	

** formerly Huntley-Montrose-Kildare Watershed Association*

*** Black Pond Watershed Group now part of this group*

The section continued providing staff support for the PEI Watershed Alliance to provide organizational services to all watershed groups. The development of a watershed strategy, by a partnership of government, the Watershed Alliance and watershed groups, was continued. It will guide future watershed work and government programs.

Along with the Inspection Services section, the Watershed and Subdivision Planning section assesses and approves subdivisions in areas of the province without official plans and bylaws. In 2013, 334 subdivision approvals were issued by the two sections.

The section regulates the use of groundwater in the province. In 2013, seven groundwater exploration permits and three groundwater extraction permits were issued.
Stream water and estuaries were monitored for long-term trends in water quality. The section also provides extensive estuarine monitoring results to Environment Canada that is utilized in the classification of shellfish growing areas. As well, this section operates electronic monitoring sites for 17 groundwater level and nine stream water level sites. Web-based groundwater quality reporting mapping, surface water mapping, surface water level and groundwater level applications provide data to the public.

Pesticides have been monitored annually since 2004 in groundwater, stream water, fin fish and shellfish. Detections are common in groundwater and less so in stream water. They are becoming more common as the laboratory's ability to detect lower concentrations improves. Levels in groundwater are always well below drinking water guidelines. All data is available to the public at ***www.gov.pe.ca/pesticidemonitoring***.

The Regional Technical Advisory Group (RTAG) includes four maritime scientists that work with and advise the section on watershed nutrient load targets for Prince Edward Island estuaries. The group consolidated its work in a technical report which finished peer review and was published in the *Canadian Technical Report of Fisheries and Aquatic Sciences* in early 2014. The nutrient loading model is being updated and targets for the remainder of the province developed.

Hydrogeological staff collaborated with expert researchers from the Universities of Guelph and Calgary, funded by the Canadian Water Network, assessing the importance of the fractures in bedrock on nitrate contamination in Prince Edward Island's groundwater.

Alternative Land Use Services Program
The Alternative Land Use Services (ALUS) program is a province-wide ecological goods and services initiative to secure environmental improvements on agricultural land above and beyond those required by regulation. The goals of the ALUS program are to reduce soil erosion and siltation of watercourses and wetlands; improve water quality; improve and increase wildlife habitat; and reduce the impacts of climate change. The program is co-managed by the Department of Environment, Labour and Justice and the Department of Agriculture and Forestry. There are now 390 cooperating farmers and landowners in the program. University of Prince Edward Island scientists, with Department of Fisheries and Oceans funding through ALUS, are researching the beneficial effects of the sediment abatement activities on streams and the development of an efficient sediment monitoring system.

Beverage Container Program

The Beverage Container Program is responsible for the administration of the *Beverage Container Act* (2008) and the operation of an efficient and effective system for the recovery and recycling of used beverage containers (non-refillables.) Island consumers purchase in excess of 61 million recyclable containers per year (421 beverages per person) in a wide variety of container types.

Through a network of privately operated Beverage Container Depots, close to 50 million containers are recovered annually, for a recovery rate of approximately 80 percent; that is among the highest recycling rates in North America. Aluminum cans account for 57 percent of all containers, while PET plastic containers make up close to 30 percent of containers sold. Aluminum is baled and sold to Coca-Cola Recycling, plastic containers are processed by NovaPET in Amherst, Nova Scotia for reuse in containers and clothing, while glass is processed as local aggregate.

The Beverage Container Program issues over $2.3 million dollars per year in consumer refunds that have helped reduce road side litter by placing a value on discarded beverage containers and diverting over five million pounds of material from our landfills.

Climate Change and Air Quality

The Climate Change and Air Quality Section is responsible for a wide range of programs, legislation and activities which include climate change, outdoor air quality, ozone layer, and hazardous materials. This section is also responsible for the management, administration and licensing associated with the storage and application of pesticide products. Specific program areas include the following:

- Air Quality Monitoring and Protection Programs
- Business Continuity Planning
- Hazardous Materials
- National and Provincial Greenhouse Gas Emissions Reduction Programs / Initiatives
- National, Regional and Provincial Climate Change Adaptation Programs / Initiatives
- Ozone Layer Protection Programs
- Pesticide Use and Regulation Program

Air Quality Monitoring and Protection Programs

The Climate Change and Air Quality section continues to monitor and protect air quality. Air monitoring stations at Charlottetown, Southampton and Wellington (part of Environment Canada's National Air Pollution Surveillance program) monitor ground level ozone, sulphur dioxide, nitrogen oxides, mercury, particulate matter and acid rain. Environment Canada supports these stations and the department continues to maintain equipment, collect and calibrate data, and share data with Environment Canada and the U.S. Environmental Protection Agency.

Prince Edward Island, along with all other jurisdictions in Canada (except Québec), began implementing a new air quality management system (AQMS). AQMS is a comprehensive approach for improving air quality in Canada and is the product of unprecedented collaboration by the federal, provincial and territorial governments and stakeholders. It includes new Canadian Ambient Air Quality Standards (CAAQS) and industrial emission requirements for major industries in Canada.

There are few large sources of air pollution in Prince Edward Island. Industrial sources are regulated under the *Environmental Protection Act* Air Quality Regulations. In 2013/2014, 45 air quality permits were issued by the department. Permitted facilities included 11 industrial fuel-burning equipment, six incinerators, eight asphalt plants, and 20 used oil burners. Permit holders must meet ambient air contaminant ground level standards (*Environmental Protection Act* Air Quality Regulations, Schedule A).

Over 110 complaints or concerns over local air quality were investigated in partnership with Investigation and Enforcement staff. Most of these complaints (>75 per cent) relate to burning garbage, construction and demolition material, wood or straw. We continue to work on strengthening the *Environmental Protection Act* Air Quality Regulations to reduce emissions from commercial and industrial wood or straw burning units.

Climate Change Mitigation and Adaptation Programs

Prince Edward Island, along with the other Atlantic Provinces, continues to participate in the Regional Adaptation Collaborative (RAC) Program, an initiative of Natural Resources Canada. A new agreement was signed in March 2013.

The University of Prince Edward Island coordinates provincial activities, which included:

- hosting a climate change conference on adapting infrastructure,
- supporting the Atlantic Planner's Institute annual conference,
- supporting the David Suzuki's Climate Change and Energy in Atlantic Canada tour,
- sharing information on climate change at local and national conferences and meetings, and
- developing case studies of Island communities adapting to climate change.

The Atlantic provinces also entered into a new agreement with Natural Resources Canada to develop planning and engineering guidance for local and provincial decision makers. This project is led by Saint Mary's University and Dalhousie University.

Staff conducted 62 internal coastal hazard assessments of subdivision and development applications. An additional 27 assessments were conducted at the request of property owners, developers and prospective buyers of coastal property.

Hazardous Materials

Commercial and industrial hazardous waste is regulated by the *Environmental Protection Act* Waste Resource Management Regulations. Generators, carriers and receivers of hazardous waste are required to register with the department. At the end of 2013 / 2014, eight new hazardous waste generators were registered, along with one new hazardous waste carrier. Carriers of hazardous waste continue to report the amount of waste shipped from the province for proper disposal and / or recycling.

Excluding petroleum, forty-six (46) complaints or concerns over hazardous materials were received by the department. These included spills or discharges of chemicals and inappropriate handling of hazardous waste.

Ozone Layer Protection Programs

Ozone depleting substances (ODS) are regulated by the *Environmental Protection Act* Ozone Layer Protection Regulations. All persons handling ODS must register with the department, and those purchasing ODS must be licensed by the department. In 2013/2014, 162 handlers registered with the department and 71 licenses to purchase ozone depleting substances were issued. Changes were made to the *Environmental Protection Act* Ozone Layer Protection Regulations to ensure that only qualified installers can be licensed. The department continues to receive complaints regarding unqualified and unlicensed installers.

Pesticide Regulatory Program

The Pesticide Regulatory Program is responsible for the administration of the *Pesticides Control Act* and Regulations. This legislation is designed to safeguard human health and protect the natural environment of the province.

The Pesticide Regulatory Program licenses commercial pesticide applicators and businesses and permits purchasing pesticide products. The following licenses and permits were issued in 2013/2014:

- 32 pesticide application business licenses,- 14 domestic pesticide vendor business licenses,
- 25 non-domestic pesticide vendor business licenses,
- 32 pesticide purchase permits, and
- 24 pesticide application permits (mainly for biting fly control).

All pesticide applicators are certified by the department through examinations. Agricultural applicators can renew their certification by participating in continuing education sessions offered by the Department of Agriculture and Forestry. In 2013, 263 exams were administered and 101 continuing education credits awarded. In total, 350 pesticide applicator certificates were issued. Pesticide vendors are also certified by the department through examinations. In 2013/2014, 44 vendor certificates were issued.

At least 128 complaints or concerns over pesticides were received by the department. Most of these complaints are related to the application of agricultural pesticides and concerns over wind speed and drift. Approximately, 25 percent are related to the use of lawn care pesticides.

Drinking Water and Wastewater Management

The Drinking Water and Wastewater Management section continued its focus on the registration and classification of the provinces smaller public drinking water systems and by year end, a total of 154 systems were registered including all municipal water supply systems and 140 small or very small water systems. A total of 58 central wastewater systems were registered by year end, with approximately one-half being municipal systems and the remaining being comprised of systems serving schools, private developments or institutional facilities. During the year, 26 exams were written by candidates for operator certification.

The section also issued a total of 36 Certificates of Approval (COAs) for construction of water and wastewater infrastructure with a value of over $13 million. Of this total, about $3 million were for water related projects and just over $10 million for wastewater projects, with the vast majority of this activity being for municipal water and sewer construction or up-grades. Sixteen

COAs were issued for specific activities needed during operations, maintenance or system upgrades and advice was provided to developers and staff of the Inspection Services section on the suitability of water and sewer servicing proposals related to subdivision approvals.

Section staff continued to assess the results of drinking water and wastewater samples submitted to the PEI Analytical Laboratories, providing advice on appropriate corrective actions when necessary and investigating sources of contamination such as E. coli, or wastewater treatment failures, or unplanned discharges. Support was also provided to other sections through review and interpretation of water quality monitoring results for landfill sites, C&D sites and related water and wastewater issues, assisting in sampling activity for the Division's pesticide monitoring program, and continued research relating to the reduction of the impact of nitrate contamination of groundwater.

Environmental Land Management

The Environmental Land Management section oversees a wide variety of administrative responsibilities under the *Environmental Protection Act* and its associated regulations. The scope of these responsibilities vary from environmental impact assessments, watercourse and wetland alteration approvals to contaminated site management and the approval of excavation pits and recycling facilities.

Environmental Assessment

The Environmental Impact Assessment (EIA) section, through an assessment process, considers the physical and environmental impacts of proposed developments. The assessment is a means to identify unwanted effects before they occur and determine the appropriate mitigation measures. In 2013/2014, a total of 10 undertakings were approved by the section ranging in scope from newly developed power transmission lines to liquid manure storage facilities.

Interdepartmental Referrals

From May 1, 2013 to April 30, 2014, a total of eight referrals were processed by the EIA section. The referrals include proposed developments which do not trigger the EIA process but still require comments and/or conditions for development from the EIA section. The number of referrals is significantly down from previous years' numbers (65 total.) This reduction is due mainly to decreased development activities, and in small part to an increase in training of the staff of the Inspection Services Section.

Environmental Response, Environmental Record Reviews, Petroleum Storage Tank Program

On rotating shifts after hours, a nine member Emergency Response Team respond to all reported environmental incidents. From May 1, 2013 to April 30, 2014, staff responded to a total of 181 incidents which were reported at various locations including residential, commercial, and public properties. Staff in the ELM section also have responsibility for responding to requests for environmental records. In most instances, individuals are seeking to clarify if potential properties they wish to purchase hold any known environmental liabilities. For the reporting period, staff processed a total of 251 requests for environmental records.

Under the responsibility of the *Environmental Protection Act* Petroleum Storage Tanks Regulations, the ELM section reviews plans for the installation or alteration of new storage tank systems and

supervising the removal of old underground tanks. In the reporting period, two new tank system installations took place, two systems were removed and replaced, and there were two alterations of existing systems. In addition, there were 28 underground storage tank removals.

Waste Management Facilities, Excavation Pits, Recycling Plants, C&D Sites, Automobile Junk Yards, and Unsightly Properties

The inspection and permitting of waste management and recycling facilities, excavation pits, and automobile junk yards are also important functions of the ELM section.

In 2013/2014, a total of two composting facilities, 31 recycling facilities, one landfill facility, four construction and demolition debris sites, 182 licensed pits and 49 automobile junk yards were permitted to operate by the department.

In 2013, the department decided to repeal the existing *Automobile Junk Yards Act*. The requirements of maintaining sufficient environmental standards were lacking in this Act and moving auto salvage recycling into existing regulations provides significant efficiencies in the permitting of these activities for staff.

Environment officers in the ELM section also carried out numerous inspections of properties under the *Unsightly Property Act* in 2013/2014. Many of these properties required repeated visits and/or follow-up inspections and correspondence in an effort to have problem areas addressed. Three unsightly property site cleanups were carried out by the department in 2013/2014.

Watercourse/Wetland and Buffer Zone Activity Permitting Program

In 2013/2014, staff issued approximately 340 Watercourse, Wetland and Buffer Zone Activity Permits. In recent years, staff within the program have been expanding the role and abilities of licensed contractors and this has resulted in a decrease in the overall number of new applications which have to be assessed and processed by staff. The program is still very busy in the spring and summer responding to large numbers of inquiries and complaints and investigating violations of the regulations.

Inspection Services

The Inspection Services section is responsible for the provision of a coordinated and integrated delivery of regulations and codes aimed at protecting public health, safety and the natural environment. The subject areas involved include: land use regulations pertinent to subdivision and development, Acts and regulations for the adoption of the Canadian Electrical Code, Canadian Elevator Safety Code, Amusement Device Codes, the National Plumbing Code, the American Society of Mechanical Engineers (ASME) codes for boiler and pressure vessels safety and building standards for barrier-free design (National Building Code Canada).

With licenses, applications, permits and inspection fees, the section brought in a total of $1,280,900 in revenue in the report year, 2013-2014. The staffing framework of the Inspection Services section consists of a Manager of Inspection Services, Supervisor of Administration and Customer Services, five Chief Officers and 22 technical and regulatory personnel.
The section delivers its programs and services through the following operational work units:

- Administration and Customer Services
- Boilers, Pressure Vessels, Plumbing and Home Heat Tank Unit
- Building and Development Unit
- Electrical Unit
- Elevator and Amusement Device Unit

Administration and Customer Services
The Administration and Customer Services section is a front line, easy access, service delivery operation located in the J. Elmer Blanchard Building at 31 Gordon Drive in Charlottetown. Staff includes a supervisor and five safety standards technicians who provide a broad range of services to contractors in the building, septic, electrical, plumbing, boiler, home heat tank, elevator, and amusement ride inspection areas as well as to land surveyors and the general public.

This work unit is responsible for all data collection, information processing and distribution of applications, permits, licenses and financial transactions to support the activities of the other work units. Cross training of staff is on-going and the work unit continues to realize efficiency and excellence in client service delivery.

Boiler, Pressure Vessel and Plumbing Unit
This unit, staffed by a Chief Inspector and seven inspectors, administers the *Boilers and Pressure Vessels Act* and Regulations, *Power Engineers Act* and Regulations and the *Environmental Protection Act* Home Heat Tanks Regulations and A Code for Plumbing Services Regulations.

The primary objective is to ensure the protection of life and property where boilers, pressure vessels, liquified petroleum gas and compressed natural gas are being used. Services are provided out of the Charlottetown office and Access PEI sites in Summerside and Montague. Public health and safety is also protected through administration of the *Environmental Protection Act* and Code for Plumbing Services Regulations which adopts the National Plumbing Code.

The unit also provides the following services on an ongoing basis:

- design review and registration for boilers, pressure vessels, pressure piping and fittings;
- testing, inspection, and issue of certificates for boilers and pressure vessels;
- review and registration of welding procedures, and qualification testing of welders and brazers;
- registering quality control manuals and licensing mechanical contractors;
- approval and registration of plans for L.P. and C.N. Gas systems, random inspection of consumer sites, plants and vehicles, and the issuance of repair orders;

- examination, certification and licensing of personnel involved in handling propane gas including fabrication, installation, and repair;

- examination, certification and licensing of power engineers and registration of power plan; and

- review and issue of plumbing permits, inspections and testing of plumbing systems.

The following table outlines the activities undertaken by this unit during fiscal 2013 2014:

Design Registrations: Boilers, Pressure Vessels, Pressure Piping, and fittings	835
Inspection and Investigation: Boilers and Pressure Vessels	2604
LP Gas Bulk Trucks, Plants, Consumer Sites, Pressure Tests and Reinspection	310
LP Gas Permits Issued	205
Accidents	2
Injuries Fatalities	0
Potential Hazards Boilers and Pressure Vessels and LP Gas	281
LP Gas Certified Personnel: Bulk Plant Operator, Dispenser Operator, Tank Truck Operator, Domestic Gas Fitter, Cargo Line Operator and Industrial Gas Fitter	340
LP Gas Examinations Conducted	51
Licensed Power Engineer's: First, Second, Third and Fourth Class	300
Refrigeration License Class A & B	32
Power Engineer's Examinations Conducted	115
Registered Plants Requiring Licensed Power Engineers	45
Registered Welding/Brazing Procedures	305
Welders/Brazers Certified	150
Registered Mechanical Contractors	149
Plumbing Permit Activity: Plumbing Permits Issued	640

Home Heat Tank Program

In 2012, the administration of the Home Heat Tank Program was moved to Inspection Services under the supervision of the Chief Boiler Inspector. At Inspection Services, the department continued to lead the country in preventive efforts to avoid petroleum spills from home heat tank systems. In 2013, the department recorded a record low, with only 47 spills related to home heat tank operation (10 of which were less than five (5) litres in volume) compared to 262, 162, 191, 179, 146, 132, 148, 156, 139, 173, 125 and 98 spills in 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011 and 2012. The Department continues to research new methods to further decrease the number of oil spills.

Fees Collected - Boiler, Pressure Vessel and Plumbing Unit

Boiler Inspection Fees $313,141
Power Engineer and Propane Fees $32,120
Plumbing Permit Fees $112,051
Total Revenue $457,312

Building, Development and Subdivision Unit

This unit is staffed by a Chief Officer, five Safety Standards Officers and three part-time Officers. The unit administers the *Planning Act* and Subdivision and Development Regulations, *Roads Act* Highway Access Regulations, *Building Code Act* Barrier Free Design Regulations and the *Environmental Protection Act* Sewage Disposal Regulations and Water Well Regulations. These regulations provide minimum requirements for building and development, on-site sewage disposal, well construction, highway access, barrier free design and the subdivision of land. The officers administer the regulations from headquarters in Charlottetown and from Access PEI Centres in Montague, Summerside, O'Leary and Souris. They assist clients through the development approval process including consultation, site planning, site assessment and compliance with the regulations.

Development and Septic

In fiscal 2013-2014, a total of 1,234 permits were approved for development and septic systems. Of the total permits approved, 661 were structures and 573 were septic systems. Development permit approvals decreased 28 percent compared to 2012-2013. There was a 9.0 percent decrease in permits issued for new residential dwelling units, while summer cottages saw a decrease of 12.2 percent. There was a 20.3 percent decrease in septic permits issued and septic registered documents received over the previous report year.

The following table shows permits issued and application fees received for building and sewage in the four regions served:

Permits and Fees 2013 - 2014

Permits Issued	Fees Collected			
Location (Region)	**Development Permits**	**Septic Permits/ Registered Doc**	**Development Fees**	**Septic Fees**
Montague/Souris	155	109		
Charlottetown	298	261		
Summerside	146	141		
OLeary	62	62		
Totals	661	573	**$177,312**	**$38,562**
Totals All Areas	**1234**		**$215,874**	

The following table shows a breakdown in the percentages of development permits issued for various uses by region. The miscellaneous permits include other structures not listed in the permit type:

Permit Type	Chtown	Montague/ Souris	Summerside	OLeary	# of Permits	%
Residential	106	40	46	21	213	32
Mobile Homes	21	6	4	2	33	5
Summer Cottages	53	26	42	16	137	21
Rental Cottages	0	0	0	0	0	0
Industrial/Commercial	19	13	8	4	44	7
Private Garage/ Storage	77	38	33	15	163	25
Agricultural Development	10	10	9	3	32	4
Miscellaneous	12	22	4	1	39	6
Totals	**298**	**155**	**146**	**62**	**661**	**100**

Subdivisions

During fiscal 2013-2014, a total of 654 applications were received and filed for subdivisions. Application fees received in the report year amounted to $38,562. Final approval was granted for 340 subdivisions containing a total of 395 lots. This represented a 45 percent increase in the total number of lots approved from the previous fiscal year. Lots approved for single family dwellings were up by 44 percent while lots for summer cottages were up by 160 percent.

The following table shows, by region, the number of subdivision applications (App), subdivision approvals and applications for site assessments, applications cancelled, denied and pending:

Location	Subdiv App	Applications Approved	Site Assess	Cancelled App	Denied App	Pending App	Preliminary Approvals
Montague/ Souris	117	76	44	1	2	28	2
Charlottetown	214	133	18	10	1	33	8
Summerside	198	78	92	1	0	20	2
OLeary	125	53	57	0	0	18	2
Total	**654**	**340**	**211**	**12**	**3**	**99**	**14**

The following table shows the locations and the use of lots created through subdivision approvals:

Location	Single Family	Summer Cottage	Industrial/ Commercial	Agriculture	Misc.	Total
Montague/Souris	42	9	0	4	26	81
Charlottetown	86	21	11	11	36	165
Summerside	46	13	7	14	10	90
OLeary	25	4	2	7	21	59
Total	**199**	**47**	**20**	**36**	**93**	**395**

Electrical Unit

The staff in this unit are responsible for the administration and enforcement of the *Electrical Inspection Act* and Regulations. Regulations under the *Electrical Inspection Act* govern the licensing of electrical contractors and adoption of the Canadian Electrical Code application to electrical construction wiring and electrical products. Through the adoption of the Canadian Electrical Code and Regulations, the Province established minimum safety requirements for the installation and maintenance of electrical equipment. The section is staffed by a Chief Electrical Inspector and three full time electrical inspectors. They provide service in all the regional areas of Prince Edward Island. Staff in this section are also trained to conduct electrical fire investigations. The following table shows the activities undertaken by this unit during the report year.

Electrical Permits/ Licenses 2013 -2014

Elelctrical Installation Permits Used	**3372**
Power Connection Permits Issued	**1843**
Electrical Contractors Licensed	**175**
Special Licenses	**0**
Restricted Licenses	**32**
Restricted Technicians	**24**

Fees

Electrical Unit Fees Collected..... $362,012
Electrical Contractor Licenses Fees..... $57,105
Total.....$419,117

Elevator and Amusement Device Unit

This unit is staffed by a Chief Officer and an Elevator Inspector. The unit is responsible for the administration and enforcement of the *Elevators and Lifts Act* and Regulations and the *Amusement Devices Act* and Regulations. The regulations under the *Elevators and Lifts Act* adopt the CSA Safety Code for Elevators which provides for public safety in the operation of elevators and lifts. The Act and regulations govern the operation of amusement devices to minimize the probability of accidents and injuries for users of such devices.

The following table shows the activities undertaken by this unit during the report year:

Elevator Certificates, Inspections, Licenses 2013 -2014

Annual Elevator Inspections	**570**
New Elevator Installations	**5**
Contractors Licenses (every 3 years)	**0**
Installer Licenses (every 3 years)	**0**
Amusement Device Inspections	**82**

Fees

Elevator Fees Collected $141,104
Amusement Device Fees Collected $9,126
Total Fees Collected $150,230

Prince Edward Island Analytical Laboratories

The Prince Edward Island Analytical Laboratories (PEIAL) is responsible for the management of the provinces water microbiological and water chemistry laboratories. As a result of the co-operative arrangement between the Department of Agriculture and Forestry and the Department of Environment, Labour and Justice, PEIAL is made up of a total of five different labs which reside in the two departments. These include Chemistry, Microbiology, Soil and Feed, Dairy, and Plant Health.

The laboratory is located in the Bio-Commons Park at the end of the Charlottetown bypass. This facility allows for a sharing of staff, equipment and supplies resulting in an efficient and cost effective service for all user clients. The location also allows easy client access and sample drop off. The lab is accredited by the Standards Council of Canada.

The Environmental program areas include:

- Drinking water quality analyses;
- General water quality analyses for ground and surface waters to determine the health of water for interests including aquatic habitat, the fishery, recreation, and aesthetics; and
- Wastewater programs

Water Samples Analyzed 2013/2014	
Type	**Number**
Drinking Water	12,035
Surface Water	1,190
Wastewater	1,259

Labour and Industrial Relations Division

Manager, Faye M. Martin

The mandate of the Labour and Industrial Relations Division is to assist in providing stable and fair workplace environments for industry and labour thus maintaining uninterrupted production of goods and services.

The number of persons employed during the first quarter of 2013 averaged 74,750 (Statistics Canada, April, 2014). A total of 18,680 persons were unionized as of December, 2013 (most recent statistics available.)

Labour Canada quotes major collective bargaining settlements for all industries in Prince Edward Island in 2013 provided base rate wage adjustments averaging 1.6 percent annually, a decrease from 1.65 percent in 2012. Wage adjustments averaged 1.6 percent for the public sector, a decrease from 1.7 percent in 2012. Labour Canada does not provide any data for the private sector for 2012. This is the second consecutive year that the base rate wage adjustments for Prince Edward Island registered below 2.0 percent since 1998 (Statistics Canada).

Statistics Canada shows the Prince Edward Island average weekly earning industrial aggregate for 2013 as $753.58 compared to $742.10 in 2012. This represents an increase of 1.54 percent. The inflation rate for fiscal 2013 / 2014 was 1.4 percent (Statistics Canada). The average weekly earning aggregate for Canada for 2013 was $910.74.

Conciliation Services

During the reporting period, the Minister appointed a Conciliation Officer for the following cases:

- Amalgamated Dairies Ltd (Read's Corner and ADL Butter Plant) / United Food and Commercial Workers Union, Local 864 - **settled**
- Holland College (Administrative and Support Group) / Prince Edward Island Union of Public Sector Employees - **settled**
- Town of Kensington / Canadian Union of Public Employees (Local 4893) - **settled**
- Island EMS / Canadian Union of Public Employees (Local 3324) - **arbitration**
- Health PEI / International Union of Operating Engineers, Local 942 - **settled**
- City of Charlottetown / The Charlottetown Police Association, Local 301 of the Atlantic Police Association - **arbitration**
- Regional Cultural/Event Centre Inc. c.o.b. Harbourfront Theatre and Atlantic Integrated Systems / International Union of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, its Territories and Canada, Local 906 - **ongoing**

- Atlantic Beef Products / United Food and Commercial Workers Union, Local 854 - **ongoing**
- Health PEI / CUPE Provincial Council of Regional Health Employees Unions (CUPE Locals 805, 1051, 1778, 1779) - **ongoing**
- East Isle Shipyard / International Association of Machinists and Aerospace Workers, Lodge No 1934 - **settled**
- Association of Commercial and Industrial Contractors/International Brotherhood of Electrical Workers, Local 625 - **ongoing**

Consumer, Labour and Financial Services Division

Director: Katharine Tummon
General Counsel: Steven Dowling

The Consumer, Labour and Financial Services Division registers and incorporates provincial business enterprises, co-operatives and nonprofit organizations, and also registers all out-of-province companies carrying on business in the province. Selected business enterprises such as insurance companies, securities dealers, real estate firms, credit unions and other financial institutions in the province are regulated by the Division.

The division administers the Orderly Payment of Debts Program. All charitable bingos, raffles and similar lotteries are licensed under the Lottery Schemes Order. Consumers are provided with information and assistance in dealing with problems encountered in the marketplace.

Corporate Section

Acts Administered

The Corporate Section of the division is responsible for the administration of the following Acts:

Companies Act	*Franchises Act*
Co-operative Associations Act	*Partnership Act*
Credit Unions Act	*Securities Act*
Extra-provincial Corporations Registration Act	*Trust and Fiduciary Companies Act*
Foreign Resident Corporations Act	*Winding Up Act*
Limited Partnerships Act	

Statistics

Following are statistics related to the various statutes administered by the Corporate Section:

Companies Act	2013-2014	2012-2013	2011-2012
Incorporations during the year:			
Business corporations	357	408	348
Nonprofit corporations	40	37	50
Certificates of Good Standing issued	300	273	283
Annual returns filed under Section 80 of the *Companies Act*	5,783	5,910	5,581
Number of companies dissolved	234	396	0
Number of companies revived	28	13	15

Co-operative Associations Act
There are approximately 117 active co-operatives in the province. During 2013-2014, there were seven new co-operatives incorporated.

Credit Unions Act
The *Credit Unions Act* is administered by the Registrar of Credit Unions, the PEI Credit Union Deposit Insurance Corporation (CUDIC), which carries out inspections of credit unions, and by Atlantic Central. A separate report on credit unions, as compiled by CUDIC is presented to the Minister on an annual basis.

Since 1992, there has been an insurance plan in place for credit unions, operated by the Credit Union Deposit Insurance Corporation (CUDIC). The insurance coverage, which was initially set at a maximum of $60,000, is similar to that provided for deposits in banks and trust companies by the Canada Deposit Insurance Corporation.

On December 24, 1997, amendments to the *Credit Unions Act* were passed which increased the deposit insurance coverage to 100 per cent of credit union members' deposits held in registered retirement savings plans and registered retirement income funds. On October 7, 2008 amendments to the Act increased the basic coverage to $125,000.

Atlantic Central staff and CUDIC communicate regularly with the department to keep it informed about the credit union movement. The Director of Consumer, Labour and Financial Services serves as the Registrar of Credit Unions. Corporate Counsel of the Division serves on the CUDIC board

Extra-provincial Corporations Registration Act
All out-of-province businesses carrying on business in this province are required to register under the *Extra-provincial Corporations Registration Act* regardless of whether they have an office or employees in the province. Such business organizations include banks, trust companies, loan companies, finance companies, chain stores, oil and gas companies, construction companies, manufacturers and generally all companies not incorporated under the laws of this province and having their head office or chief place of business located outside the province.

Extra-provincial Corporations Registration Act	2013-2014	2012-2013	2011-2012
Companies registered	3,538	3,420	3,005
Certificates of Good Standing issued	147	243	174

Franchises Act
The *Franchises Act* is the responsibility of the Corporate Section. The sections of the Act providing for a duty of fair dealing and rights of association came into force on July 1, 2006. The disclosure requirements of the Act and its regulations were brought into force on January 1, 2007.

Partnership Act

The business names of sole proprietorships and partnerships are registered under the *Partnership Act* as well as trade names of corporations.

Partnership Act	2013-2014	2012-2013	2011-2012
Declarations filed	955	991	913
Dissolutions filed	242	937	302

Declarations filed under the *Partnership Act* expire three years after the date of filing unless renewed.

Securities Act

The *Securities Act* regulates the sale of securities to the public and provides for the licensing of dealers, advisers and salespeople. The purpose of securities legislation is to provide investor protection and to foster efficient capital markets.

Canadian Securities Administrators (CSA)

The Canadian Securities Administrators (CSA) is comprised of the 13 provincial and territorial securities regulatory authorities in Canada. Over several years, the CSA has established and continues to develop and administer the Canadian Securities Regulatory System. The CSA functions through meetings of Commission Chairs and Superintendents held at regular intervals, meetings and ad hoc interactions between executive directors, and through working committees.

In 2004, all CSA jurisdictions with the exception of Ontario entered into an agreement to implement a "passport system" of regulation for securities market participants across the country. On March 17, 2008, Prince Edward Island brought into force a new *Securities Act* which has permitted the province to adopt the passport system for the regulation of public companies. On September 28, 2009, sections of the new Act were proclaimed in force and permit the province to adopt the second stage of passport involving the registration of dealers, advisers and their representatives.

Securities Act registrations and filings:	2013-2014	2012-2013	2011-2012
Licenses issued:			
Salespersons and individual advisers	4,608	4,567	4,423
Brokers and firm advisers licensed	270	258	235
Prospectuses registered	3,387	3,888	3,730
Prospectuses amendments registered	1,918	1,063	1,253
Certificates of Exemption	68	72	65
Annual Information Forms registered	1,231	1,150	1,165

Revenue

Revenue Source:	2013-2014	2012-2013	2011-2012
Companies Act	$453,413	$462,445	$415,972
Extra-provincial Corporations Registration Act	985,611	956,854	971,679
Securities Act	$7,343,740	4,448,906	5,442,150
Other statutes	201,230	181,351	144,323
Total revenue collected by Corporate Section	$8,983,994	$6,049,556	$6,974,124

Comments

Corporate section staff spend a significant amount of time responding to inquiries from the public as much of the information filed in the section is public information. Requests for information about corporations, co-operatives, partnerships or other matters come from the legal and accounting professions, other government departments, police authorities, business people, financial institutions and the public at large.

Corporate Section Personnel

Securities

Securities Secretary	Marlene Hughes
Securities Clerk	Janice Callbeck

Corporations

Corporations Officer	Joan MacKay
Corporations Clerk	Lori Stewart
Corporations Clerk	Della Godfrey
Corporations Clerk	Carol Handrahan
Corporations Clerk	Janet O'Brien

Insurance and Real Estate Section

Insurance Act	2013-2014	2012-2013	2011-2012	2010-2011
Insurance companies licensed	208	204	204	212
Applicants examined	43	56	45	45
Number of insurance agents licensed	2,136	2,535	1,967	2,903
Number of insurance adjusters licensed	426	437	332	438

Comments

The Superintendent of Insurance also acts as the Registrar under the *Real Estate Trading Act*. The Superintendent primarily administers the *Insurance Act*. Duties of the office centre around the licensing and regulation of all insurers, agents and adjusters active in the province. The office receives consumer inquiries and complaints and responds to each with information and/or intervention as required.

The Superintendent participates in regional and national efforts to ensure the local insurance industry environment remains current and best serves the needs of all stakeholders. The ultimate goal remains to ensure the products demanded by the public are available at the lowest possible cost.

Revenue

Revenue collected under the various statutes is as follows:

Revenue Source:	2013-2014	2012-2013	2011-2012
Premier Tax	$10,583,732	$10,571,000	$10,103,000
Fire prevention tax	496,093	567,000	495,000
Third-party auto levy	3,729,469	2,475,000	2,078,000
License fees and other	735,150	630,000	672,000
Total Insurance and Real Estate Section revenue	$15,544,444	$12,568,327	$12,601,000

Comments

Premium tax at the rate of 3.5 per cent is collected on all insurance premiums (except fraternal) written in the province. The Fire Prevention Tax, which is assessed at one per cent of the total fire premium, is basically designed to defray expenses of the Provincial Fire Marshal's office. The Third Party Auto Levy is assessed on each insurer underwriting auto insurance. The purpose of the Third Party Auto Levy is to offset provincial health care costs associated with innocent victims of automobile accidents. The levy allows the province to recover its costs in an efficient manner and is assessed on a per earned vehicle basis.

Real Estate

The Registrar administers the *Real Estate Trading Act*. Duties of the office include the licensing and regulation of all agents and salespersons active in the province. The office receives consumer inquiries and complaints and responds to each with information and/or intervention as required.

Real Estate Trading Act Statistics	2013-2014	2012-2013	2011-2012
Agents licensed	44	34	30
Salespersons licensed	266	213	182

Insurance and Real Estate Section Personnel

Superintendent of Insurance — *Robert Bradley*
Compliance Officer — *Phillip McInnis*

Consumer Services Section

The Consumer Services Section is responsible for the administration of the following programs:

Program	Statutory Reference
Debtor Assistance	Orderly Payment of Debts, Part X of the *Bankruptcy & Insolvency Act*
Consumer Education and Information, Complaints and Inquiries	Various Provincial Statutes
Regulation of Charitable Gaming	Lottery Schemes Order, sections 206 and 207 *Criminal Code*
Licensing of various industries	Various Provincial Statutes

Debtor Assistance Program – Orderly Payment of Debts (OPD)
Part X, Bankruptcy and Insolvency Act

Through this program, an alternative to consumer bankruptcy, a person pays off his or her debts by making a series of monthly payments to the Clerk of the Court. Through OPD, debtors are given the opportunity to retire their debts over an extended period of time, consistent with their ability, while maintaining a reasonable standard of living. The relevant statistics are as follows:

	2013-2014	2012-2013	2011-2012
Funds disbursed to creditor	$14,910	$34,066	$97,390

In 2005-2006 the department began phasing out the OPD program and stopped taking on new clients. Four files were closed in 2013-14, three files were closed in 2012-13, nine files were closed in 2011-12, three files were closed in 2010-11, fifteen clients retired their debts in 2009-10, fifteen clients retired their debts in 2008-09, thirteen clients retired their debts in 2007-08, fifteen clients retired their debts in 2006-2007 and fourteen clients retired their debts in 2005-2006. The department continues to service all existing clients who are paying off their debts in an orderly fashion.

Consumer Protection

This section provides information and assistance to consumers who are considering purchasing goods and services. Our staff also responds to consumer complaints and advises consumers of their rights under provincial consumer protection legislation. We assist with informal mediation between consumers and retailers and take corrective measures under provincial legislation where warranted. The section issues consumer alerts and participates in consumer protection seminars and workshops for seniors, youth and other groups.

Regulation of Charitable Gaming

The Lottery Schemes Order made under the federal *Criminal Code* empowers the province to license and set terms and conditions for charitable gaming. These include bingos, raffles, lotteries, casino nights, 50/50 draws and sports pools. Licensing and financial statistics follow:

Licensing Statistics	2013-2014	2012-2013	2011-2012
Lottery scheme licenses issued	991	1,119	1,077
Bingos licensed	22	22	27

Bingo Revenue and Expenses	2013-2014	2012-2013	2011-2012
Total receipts	$7,023,227	$8,586,232	$9,412,804
Prizes paid out	5,596,659	6,522,740	7,094,535
Wages to employees	587,124	719,626	727,028
Supplies (bingo paper)	276,543	361,844	337,703
License fees	111,760	132,607	141,783
Advertising	54,736	111,370	121,770
Rent	122,786	119,526	125,549
Other expenses - utilities, management fees	168,718	175,130	215,854
Total Expenses	6,918,325	8,142,843	8,764,222
Total receipts minus total expenses	104,902	443,389	648,582

Licensing and Registration of Various Industries

In addition to those statutes mentioned earlier, this section also administers the following statutes which require a license or registration:

Auctioneers Act
Cemeteries Act
Charities Act
Collection Agencies Act
Consumer Reporting Act
Direct Sellers Act

As well, the section is responsible for the administration of four other statutes which, while no license or registration is required, do prescribe rules of conduct. They are:

Business Practices Act
Consumer Protection Act
Films Act
Pre-arranged Funeral Services Act

Licensing Statistics:	2013-2014	2012-2013	2011-2012
Auctioneers (two-year license term)	9	13	5
Collection agencies (two-year term)	34	26	26
Collectors	923	1,275	
Total number of Collection Agencies	63	84	53
Consumer reporting agencies (two year term)	4	4	2
Direct sellers (two-year term) Individuals Companies	 13 16	 44 36	 35 16

Floral Hills Gardens Administration Act

This Act came into force on December 15, 2006. It transfers ownership of the Floral Hills Memorial Gardens cemetery to the Province. The FHMG Cemetery Co-operative Limited has been operating the cemetery on behalf of the Province.

Revenue

The Consumer Services Section collects fees under various statutes, as follows:

Revenue Source:	2013-2014	2012-2013	2011-2012
Lottery Schemes Order	191,972	210,557	224,915
Other statutes	130,050	30,674	30,115
Total section revenue	$322,022	$241,231	$255,030

Consumer Services Section Personnel

Compliance Officer — *Linda Peters*
Secretary — *Janet O'Brien*

Legal Aid Division

Introduction

Criminal and civil legal aid services are provided under the Prince Edward Island Legal Aid Program. The program is administered under the general powers of the Department of Environment, Labour, and Justice. The scope of services covered by the program, and the terms and conditions of eligibility, are determined by government policy. Prince Edward Island does not have specific legal aid legislation.

The criminal legal aid services provided by the program are cost-shared by Canada under a federal-provincial agreement implemented in 1973 and renewed from time to time since then. The federal contribution agreement applies in all provinces and territories. It is intended to promote uniform access to a minimum level of service throughout Canada and as a result, criminal legal aid coverage in each province and territory is determined to some extent by the details of the agreement.

There is no similar federal-provincial arrangement for funding civil legal aid. The constitutional responsibilities of the two levels of government for civil legal aid are somewhat different from their responsibilities in the area of criminal law. The provinces and territories have been requesting greater federal support for civil legal aid. The federal government regards civil legal aid as a social program for which block funding is transferred to the provinces under the Canada Social Transfer. Civil legal aid coverage varies considerably from one province and territory to another. It consists primarily of family law, child protection, adult protection, and mental health matters.

Delivery Model

Legal aid services in Prince Edward Island are delivered primarily by salaried staff lawyers. Private sector lawyers are retained in cases where a staff lawyer is unavailable or where more than one party in the same legal dispute requires legal aid. About thirteen percent of the province's practicing lawyers accept occasional legal aid referrals.

The legal aid program is administered by the Director of Legal Aid who reports to the Deputy Minister of Environment, Labour, and Justice. Under this structural arrangement, communications between Legal Aid and the Department of Environment, Labour, and Justice are confined to matters of policy, resources, and administration. In solicitor-client services, the confidentiality rules of the legal profession govern the relationship. This means that in the delivery of professional services to individual clients, legal aid staff have autonomy equivalent to that of professional staff in programs administered by a legal aid commission.

The program has nine full-time staff lawyer positions, including the position of the Director. Five of the staff lawyer positions are in Charlottetown and three are in Summerside. Two of the Charlottetown lawyers, and one Summerside lawyer, are assigned primarily to criminal law services. Three staff lawyer positions in Charlottetown, and two in Summerside are assigned primarily to family law. On a time and expenditure basis more than half of all resources have gone to family and civil legal aid.

It should also be noted that in Prince Edward Island and the rest of Canada, legal aid administrators do not have total discretion in the allocation of legal aid resources between criminal and civil legal aid needs. In the criminal justice system a certain level of legal aid service must be maintained to ensure basic rights to a fair trial in accordance with the *Canadian Charter of Rights and Freedoms*. If the requirements are not met in serious criminal cases the courts may not allow trials to proceed. The *Charter* does not require government to ensure the same availability of legal aid in family law where legal needs relate to private disputes between individuals and no state action is involved.

Criminal Legal Aid

The objective of the Criminal Legal Aid Program is to promote access to legal representation and assistance in the criminal trial process. Under the program, lawyers are made available to persons who would otherwise be unable to afford legal representation in serious criminal matters. As a minimum, legal aid will be provided in situations where a court applying the *Canadian Charter of Rights and Freedoms* would consider the assistance of counsel to be essential for a fair trial.

Eligibility

Eligibility for legal assistance is determined by a flexible means test. The test is conducted by Legal Aid staff who assess the seriousness of the legal proceedings and determine whether the applicant's present means would be sufficient to enable him or her to obtain private counsel, within the required time frame, if legal aid was refused. A scale based on income and family size is used as a guideline. The income scale is comparable to those of other Canadian provinces and territories but all jurisdictions acknowledge that there is an increasing gap between the scales and the income levels at which anyone could be expected to retain counsel through their own financial resources. Studies in other provinces have indicated that an increasing percentage of the Canadian population needs legal aid but income scales cannot be increased without adding resources. The challenge of meeting legal needs is extremely complex. National efforts to address the problem are increasingly focused on achieving greater efficiency within the over-all justice system rather than adding resources at levels which cannot be sustained.

Approved Applications

The criminal and YCJ caseload is counted by the number of applications approved and by the number of cases completed. Readers using this data for inter-jurisdictional comparisons on costs and caseloads are asked to note that terms such as "case" and "application" may vary from one province or territory to another. A case may involve more than one legal problem. For instance, an applicant may have multiple charges arising from a single incident or charges from several incidents closely related in time. Cases which have not been completed are carried over from one year to the next and counted only in the year in which the file is closed. Approved applications, on the other hand, are counted in the year in which the file was opened.

Adult Criminal and Youth Applications and Caseload:

	2013-14	2012-13	2011-12	2010-11	2009-10
Adult Criminal and Youth Applications Approved	1104	1226	1171	1299	1318
Refused Applications	92	83	104	109	115
Cases Completed and Closed	1132	1185	1190	1303	1295
Cases Completed by Private Counsel on a Legal Aid Basis*	54	52	51	65	53

**The number of criminal cases referred to private counsel does not include files handled by private sector lawyers on a per diem basis to cover vacancies, scheduling conflicts, sick leave, or vacation.*

Approved Applications by Region: Adult Criminal and Youth

	2013-14	2012-13	2011-12	2010-11	2009-10
Charlottetown Adult	552	577	590	632	582
Charlottetown Youth	83	99	117	126	110
Charlottetown Total Approved	635	676	707	758	692
Summerside Adult	404	473	393	475	519
Summerside Youth	65	77	71	66	107
Summerside Total Approved	469	550	464	541	626
Provincial Totals Approved	1104	1226	1171	1299	1318

After-Hours Telephone Duty Counsel Program

In 2010, Prince Edward Island introduced an after-hours telephone duty counsel system to enable persons who are under arrest or police detention to contact legal counsel without delay, in accordance with the right to counsel in the *Canadian Charter of Rights and Freedoms.* After-hours telephone duty counsel programs have a dual purpose: protecting the *Charter* rights of detainees; and enabling police to proceed with their duties without having to allow detainees to wait for a lawyer to become available after the resumption of regular business hours. In most arrest and detention situations a brief telephone consultation with duty counsel is sufficient to ensure both purposes are met. The after-hours program is staffed by private sector and staff lawyers on a rotating schedule. Business-hours duty counsel calls are handled from Legal Aid staff offices.

After-Hours Telephone Duty Counsel Program:

	2013-14	2012-13	2011-12
Duty Counsel Calls Received:	636	667	618
Business Hours Calls	205	175	166
After-Hours Calls	431	492	452
Type of Police Investigation:			
Impaired Driving	121	156	159
Break and Enter, Thefts, and Property Offences	144	145	115
Assaults	135	154	144
Administration of Justice (breach and failure to comply)	57	67	45
Controlled Drugs and Substances	79	58	64
All Other	100	87	91

Total Direct Expenditures for After-Hours Telephone Duty Counsel Program (excluding administrative costs): $65,342

Total Criminal Legal Aid Expenditures:

	2013-2014	2012-2013	2011-2012	2010-2011
Salaries and Operating Costs	643,658	683,751	701,024	724,459
Fees to Private Counsel	112,875	103,898	48,417	79,805
After-Hours Telephone Duty Counsel	65,342	63,061	70,560	70,163
	$821,875	**$850,710**	**$820,001**	**$874,427**

Family and Civil Legal Aid

Coverage

Prince Edward Island Legal Aid has provided civil legal aid coverage since 1980. The term "civil legal aid" is used collectively to refer to areas of legal aid coverage that do not directly involve criminal law. Civil legal aid is now available everywhere in Canada but the type and amount of assistance that may be provided, varies from one province or territory to another. The provinces and territories determine the types of legal problems that will be covered, the eligibility criteria for applicants, and the methods by which services will be delivered. Family matters account for the majority of civil legal aid cases in this province and across Canada.

Additional civil legal aid coverage areas include child protection law, involuntary hospitalization under mental health law, and adult protection laws. The provision of legal aid in these areas of law may be considered mandatory under the *Canadian Charter of Rights and Freedoms* where the litigation involves actions by government that seriously affect individual liberties or security of the person.

Priority for Assistance in Family Legal Aid

The objective of family legal aid is to provide legal assistance to those who cannot afford the services of a lawyer in the most urgent family situations. Legal needs are prioritized on two levels. Level One, the highest priority, refers to cases where domestic violence has occurred or where the personal security of the applicant or child(ren) in his or her care is endangered in a family situation. Level Two describes the need for essential legal services in family situations where there has been no domestic violence or present threat to the security of the applicant or a child(ren) in his or her care.

In Level Two situations, applicants who require legal assistance to meet the needs of their dependant children are given priority. Legal needs in this category include: custody, access, financial support, and housing. Due to the high demand for those services, only very limited resources remain available to assist applicants with legal needs that do not relate directly to the support of dependant children.

Divorce coverage is provided only where it is determined to be the most effective court procedure for addressing one or more of the foregoing objectives.

Summary Advice

Where an applicant does not meet eligibility requirements or where his or her legal needs do not qualify for full service, summary legal advice may be provided. Summary advice generally involves a brief telephone or office consultation with a staff lawyer. Further assistance may be provided subsequently if the applicant's legal needs change.

Delivery of Services

Family and other civil legal aid services are delivered by staff and private sector lawyers. Five staff lawyers provide family and civil legal services. Three positions in Charlottetown and two in Summerside, are assigned primarily to civil and family legal aid services. Additional services are provided by private sector lawyers on a referral basis at legal aid rates. Fees paid to private sector lawyers in 2013-14 accounted for approximately nine percent of family and civil legal aid expenditures.

The Law Foundation of Prince Edward Island

The Law Foundation of Prince Edward Island has been providing financial assistance for family legal aid since 1996. The Foundation is a non-profit organization created by the *Legal Profession Act* to receive and distribute interest paid by financial institutions on certain types of general trust accounts held by law firms. The promotion of legal aid is one of the statutory objectives of the Law Foundation. In 2013/2014 the Foundation contributed $90,000 to this objective.

The Charter of Rights and Family Law

The *Canadian Charter of Rights and Freedoms* does not specifically refer to legal aid. However, the interpretation of the *Charter* by the courts plays a significant role in determining the minimum levels of legal aid coverage that must be provided by government. This is especially so in criminal cases where the courts may be required to make preliminary decisions about whether a trial can even proceed if the accused is unrepresented. In the area of family law, the *Charter* does not have the same impact because the litigation is between private individuals and does

not involve government action. However, in child protection matters, where in all instances the state is the party taking the legal action which may have a direct and immediate impact on parental rights, the Supreme Court of Canada has ruled that parents who are unable to afford legal counsel may be entitled to have counsel provided by the province or territory in the most serious cases. Accordingly, child protection cases are given high priority for assistance by all legal aid programs in Canada.

Legal Aid in Other Provinces and Territories

All provinces and territories of Canada participate in an informal reciprocal legal aid agreement. Under this agreement, residents of Prince Edward Island may obtain a limited range of legal aid services anywhere in Canada. A condition of inter-jurisdictional coverage for family and civil legal aid is that the legal service would be available to a non-resident if it was required in this province.

The reciprocal provisions are not required for criminal legal aid. Under the federal funding arrangements, criminal legal aid services must be offered by all provinces and territories to residents and non-residents alike.

Legal Assistance Provided by Other Family Justice Program

In addition to the family legal aid outlined in this report, the province provides services to individuals through a number of other family justice programs. Family court counsellors conduct home studies and provide family mediation and counselling. Child support guidelines officers assist self-represented litigants in the preparation of child support applications. Victim assistance workers assist victims of family violence, and maintenance enforcement officers collect and disburse child support payments.

Difference in Criminal and Family Legal Aid Reporting Procedures

In this report there are some differences in the method of reporting expenditures for fees paid to private counsel for adult criminal cases, and those paid for family legal aid referrals. The differences originated with the claim process under the Federal-Provincial Funding Agreement for Adult Criminal and Youth Legal Aid, where shareable criminal case expenditures are calculated on the basis of completed cases. However, in this report the total expenditure for fees paid to private counsel in family and civil cases includes work in progress. Accordingly, the expenditures for fees paid to private counsel for family and civil cases do not relate solely to the number of new cases referred to private counsel within the year. Likewise, expenditures for referrals made late in the report year may not show up until the following year.

The data also reflect fundamental differences in the nature of criminal and family law processes. For instance, criminal prosecutions begin with a very specific and narrowly defined criminal charge. The trial proceeds on a tight time frame and ends with a clear and final resolution. Family matters, on the other hand, generally do not begin in the courts. Most start with negotiations or mediation and may never involve actual court processes. The identification of issues and the time frame of family matters are mainly determined by the parties, within the scope of the legislation and rules of court. There is not the same obligation, as in the criminal trial process, to bring family law proceedings to a formal resolution.

These factors require differing approaches in the eligibility screening processes for criminal and civil legal aid services. Criminal applications are rarely withdrawn, and refusal rates are usually below 10 percent. Despite pre-screening efforts on the family/civil side of the program, approximately 20 percent of all applications were never completed by the applicant and were noted as "withdrawn." An additional 8 percent of applications were refused. Reasons for refusal included coverage restrictions, financial eligibility, and lack of case merit. The reasons for incomplete and withdrawn applications remain somewhat unknown. The most common notation in those categories is that the applicant did not return with financial information to complete the application within 30 days and did not make any further contact to complete the application process.

Family and Civil Legal Aid Applications and Caseload:

		2013-14	2012-13	2011-12	2010-11
1.	Family and Civil Applications Received:				
	Charlottetown	301	308	360	362
	Summerside	165	156	131	165
	Total	466	464	491	527
2.	Withdrawn Applications:	100	89	111	123
3.	Refused Applications:	39	53	53	45
4.	Applications Approved for Full Service by Priority Level:				
	Child Protection Act	40	47	57	53
	Family Level 1	24	40	39	52
	Family Level 2 and Other Civil	168	157	153	171
5.	Applications Approved for Summary Assistance:	95	78	78	82
6.	Family and Civil Cases Referred to Private Sector Counsel:	51	66	57	78
7.	Interprovincial Applications:				
	Received From Other Provinces/Territories	7	8	10	7
	Sent to Other Provinces/Territories	3	10	6	3
8.	Family and Civil Legal Aid Applicants:				
	Male	27%	26%	29%	27%
	Female	73%	74%	71%	73%

Family and Civil Applications and Caseload by Region 2013-2014:

	Charlottetown	Summerside	Total
Applications Received	301	165	466
Refused	17	22	39
Withdrawn	43	57	100
Approved Full	170	62	232
Level 1	20	4	24
Level 2	124	44	168
Child Protection	26	14	40
Referred to Private Counsel	33	18	51
Approved Summary	71	24	95

Family and Civil Legal Aid Expenditures:

	2013-2014	2012-2013	2011-2012	2010-2011
Salaries and Operating Costs	944,803	891,193	904,528	813,828
Fees to Private Counsel	88,846	79,561	89,311	149,549
	$1,033,650	**$970,754**	**$993,839**	**$963,377**

Combined Expenditures for All Services:

	2013-2014	2012-2013	2011-2012	2010-2011
Criminal Legal Aid:	821,875	850,710	820,001	874,427
Family and Civil Legal Aid:	1,033,650	970,754	993,839	963,377
TOTAL LEGAL AID EXPENDITURES:	**$1,855,525**	**$1,821,464**	**$1,813,840**	**$1,837,804**

Legislative Counsel Office

Chief Legislative Counsel: Shawn B. Flynn

Mandate:

The Legislative Counsel Office is responsible for the following services and functions:

- reviewing proposals for bills;
- drafting bills and regulations for government;
- providing legal advice to government respecting legislation;
- drafting government motions respecting government bills;
- providing legal advice to the Operations Committee;
- providing a variety of services to the Legislative Assembly, including
    - staffing the position of the Law Clerk,
    - drafting and formatting legislation for Private Members, and
    - indexing the Private Acts of the Assembly; and
- maintaining the printed and electronic records of the legislation of Prince Edward Island, including:
    - preparing consolidated statutes after each Session of the Legislative Assembly for the government website;
    - updating the electronic data base of the statutes and regulations of PEI;
    - updating the electronic histories of the amendments made to the Legislation of PEI;
    - maintaining the Legislative Counsel website; and
    - preparing the Annual Volume of the Statutes of PEI.

Mission Statement:

The mission of the Legislative Counsel Office is to draft and coordinate the publication of all government bills and regulations for the Government of Prince Edward Island.

Main Activities:

(1) During the Fall 2013 and Spring 2014 Sessions, 47 government bills and 1 private bill prepared by the Office were enacted (approximately 267 pages in total).
(2) In addition, 60 regulations (approximately 272 pages) were completed by the Office from April 1, 2013 to March 31, 2014.
(3) The consolidated versions of the regulations and the Acts of Prince Edward Island were updated frequently and made available to the public on the government website.

Legal and Court Services

Director: Barrie L. Grandy, Q.C.

Legal Services Section

Manager: Terri A. MacPherson

Mission Statement

The mission of the Legal Services Section is to fulfill the constitutional mandate of the Attorney General, as chief law officer of the Crown, by providing quality legal services to the Government of Prince Edward Island.

Main Activities

The Legal Services Section is responsible for Government's civil law matters. Solicitors employed in the section provide comprehensive legal advice and legal services to government, including alternate dispute resolution services, and act for government in civil suits and tribunal proceedings. The following represents the types of legal service provided to government:

- represent the Director of Child Protection before the courts with respect to the protection of children;
- represent the Director of Maintenance Enforcement before the courts in the enforcement of court ordered financial support;
- appear before the Island Regulatory and Appeals Tribunal on ministerial appeals;
- represent the Government Self-Insurance and Risk Management Fund;
- represent the government in civil matters before the Supreme Court of Prince Edward Island and the Prince Edward Island Court of Appeal;
- represent the government in civil appeals before the Supreme Court of Canada;
- provide legal opinions on a wide range of matters to all government departments and to some commissions, agencies and Crown corporations;
- participate on a number of federal/provincial/territorial committees such as Forum on Management Issues, Aboriginal Law, Charter Conference and Uniform Law Conference;
- provide advice on contracts and tender documents.

Goals

The trend over the past few years has shown that the need for legal services has continually grown with an increase in its caseload and the complexity of some legal issues. The Legal Services Section will continue to maintain its current client base and existing service levels but will monitor the situation to ensure that all clients continue to receive quality service.

Court Services Section

Manager: Judy Turpin

Mission Statement

The mission of Court Services is to provide for the effective and efficient operation and maintenance of administrative services to all levels of courts in Prince Edward Island.

Main Activities

Court Services is responsible for administrative activities in both Civil and Criminal Courts in all three levels of Courts: Prince Edward Island Court of Appeal; Supreme Court of Prince Edward Island and the Provincial Court of Prince Edward Island.. Staff work with an objective to make the most effective and appropriate use of resources to provide and manage comprehensive court services programs across the province. Such activities include:

- general administration
- judicial administration
- court records
- docketing at the Supreme Court level
- stenographic, secretarial and court clerk services
- financial records
- enforcement
- Sheriff Services

Branches of Court Services

- Court services for PEI Court of Appeal, Supreme Court and Provincial Court
- Sheriff Services
- Prothonotary's office administration

Goals

The Court Services Section will continue to provide quality service to all those coming before the courts, as well as continue with its efforts to provide better access to justice for all individuals. The number of litigants appearing before the courts in Prince Edward Island has grown over the past few years. In addition, the number of litigants who choose to represent themselves in court has increased.

The courts have also installed videoconferencing equipment which allows persons to testify from remote locations. The installation of this technology lays the groundwork for a video remand process in coming years.

The courts have had the objective of providing access to justice for its French speaking clients for some years. In 2012 the Provincial Court achieved that objective. Pursuant to a federal provincial funding agreement, the Courts hired three Justice of the Peace/clerical staff; with one bilingual clerk located at each Provincial Court facility. In addition one of these staff acts as a Deputy Sheriff for the purposes of fine collection for the province.

In September of 2012, the courts adopted a new fee schedule to replace the old one which had remained unchanged for a number of years. In addition, a new administrative fee was added to each summary offence ticket in October of 2012, along with a late payment fee of $10 for each ticket that remains unpaid within 30 days of due date.

The courts are planning to implement a Court Order Registry in the next fiscal year. The registry will link the Criminal and Civil Courts and ultimately will allow officers to view custody orders as a second phase. Implementation is planned for late summer.

Statistics

Provincial Courts

For a twelve month period ending March 31, 2014 the total number of charges laid in the three Provincial Courts was approximately 14,505. This figure includes Criminal Code, Federal Statute and Provincial Statutes offences. The Provincial Courts collected fines in the amount of $2,040,067.

Supreme Court

For a twelve month period ending March 31, 2014 the total number of actions started in the Supreme Court including General, Family, Divorce, Small Claims and Summary Conviction Appeals were approximately 1,389. Total grants issued from the Estates section were 390 and there were 6 petitions for passing of accounts, five File and Register only Estates, and 16 petitions for Reseal.

Court of Appeal
There were 27 appeals and one application for leave to appeal filed in the Court of Appeal during fiscal year 2013/14 – 21 civil appeals and sex criminal appeals.

Sheriff Services
Sheriff: Ron Dowling

Sheriff Services provides services to citizens, the business community, the courts and other government departments. These services include court security, inmate escorts, fine collection, governmental process serving, execution of court orders and bailiff services.
In the past, Sheriff Services operated a manual case management and accounting system, but in August of 2012, Sheriff Services had all cases automated into the FACTS 7 system. Several business practices were changed to accommodate the new system, including payment for services up front. In addition, the fee structure for all services was revised in September, 2012.
For the period ending March 31, 2014, over 330 documents were processed and 3,234 new Writs of Execution were registered in the Sheriff's Registry. In terms of fine collection, 3,981 drivers' license Suspension Orders were issued in support of fine collection efforts.

Family Law Section
Manager: Loretta Coady MacAulay, Q.C.

Vision Statement
The Honourable C. R. McQuaid Family Law Centre is based on the belief that the future of society depends on the well-being of its children. Since individuals, families, communities and governments all share responsibility for achieving that well-being, families must be valued and supported. The Family Law Centre was established to provide programs and services, in a coordinated manner, to families going through separation and divorce.

Mission Statement
To develop and continue family justice programs and services which promote and emphasize the best interests of the child. Federal funding has been provided since 1997 to assist the province with the development of initiatives and continuation of family justice programs to improve the delivery of family law services and reduce the negative impact of separation and divorce on families and children.

Main Activities
The Family Law Section is comprised of the Parent Education Program, the Family Court Counsellors' Office, including mediation services; the Child Support Guidelines Office; the Maintenance Enforcement Program; and the Administrative Recalculation Office.

The Positive Parenting from Two Homes Program is an educational program for parents who are separating/divorcing and/or parenting from two homes. This program is free of charge and is delivered in two three-hour sessions approximately one week apart. Trained facilitators provide information, present videos, facilitate discussion and answer questions to assist separated parents in understanding their feelings, their children's needs, and to develop a business-like relationship with the other parent. Information provided to parents during this educational program equips them to reach appropriate agreements regarding their children.

In FY 2013-2014, the Positive Parenting from Two Homes was delivered 14 times. The program was delivered in four communities across Prince Edward Island. It was delivered eight times in Charlottetown; twice in Montague; twice in Summerside; and, for the first time, twice at Alberton. A total of 120 parents completed the program.

The Positive Parenting From Two Homes "For Kids!" Program evolved from the *Positive Parenting From Two Homes* Program. The program is a cost-free children's program. All children's programs are delivered in the school system, during school hours, and co-facilitated with the school guidance counsellors. The program acts as a resource to the schools which makes the program accessible by many more children. Parents access the program through the school guidance counsellor. The guidance counsellors provide information to parents about the program and screen and register children. In FY 2013-2014, the *Positive Parenting from Two Homes "for Kids!"* Program was delivered, in partnership with the school system, to 15 groups in 7 different schools across Prince Edward Island. Ninety-one children participated in the program.

The Family Court Counsellors' Office prepares home studies for custody and access cases proceeding through the courts and mediates custody, access, and child support issues between parties as an alternative to proceeding to court. The services provided by the Family Court Counsellors' Office are provided free of charge and province-wide. In FY 2013-2014, there were 23 Court ordered home studies completed by the Family Court Counsellors' Office.
The Mediation Service is a free province-wide service that is coordinated by the Family Court Counsellors' Office to assist parents resolve issues of custody, access and child support. Each client is eligible for up to eight sessions or twelve hours of mediation service. Participation in the mediation service is voluntary. The mediator is located at Charlottetown and travels to sites outside of Charlottetown, as needed, to provide the service.

There were 102 client referrals in FY 2013- 2014. On March 31, 2014, 12 mediated agreements resolving all of the issues was reached; 2 mediated agreement resolving some of the issues was reached; 16 were in the mediation process; 19 had been terminated by the Mediator and 53 cases were screened out. The issues to be mediated in the 102 cases were as follows: one involved issues of custody, access, child support and assets; eight involved issues of custody, access and child support; 37 involved custody and access; 44 access cases; three involved issues of access and child support; one custody, child support and assets case; one involved assets; one involved access and assets; two child support; three custody; and one case was not applicable since the issue was an inappropriate referral that was referred out.

The Child Support Guidelines Office provides clients with information on the child support guidelines and assists self-represented litigants prepare court documentation required when applying to the courts for either first time child support or a variation of child support in an existing order or agreement. The office also assisted clients in preparing consent orders when the parties agreed upon the amount of child support. This eliminated the need for a court hearing. Furthermore, the office also provided clients with information regarding interjurisdictional support order cases and reviewed form-based applications going to Courts out of province.

In FY 2013-2014, the Charlottetown Child Support Guidelines Office assisted 249 self-represented litigants as follows: 49 court applications in which a first request for child support

was sought; 53 court applications in which a variation of child support was requested; 17 ISO applications, in which eight clients were requesting child support for the first time and nine clients were requesting a variation of child support. The Charlottetown Child Support Guidelines Office also assisted seven clients apply for a provisional variation application under the Divorce Act. In addition, the office also assisted self- represented litigants obtain 40 consent orders for first time child support and 64 consent orders for a variation of child support. Further, the office assisted self-represented litigants prepare a response affidavit in 19 cases.

In FY 2013-2014, the Summerside Child Support Guidelines Office assisted 176 self-represented litigants as follows: 39 court applications for first time child support; 44 court applications in which a variation of child support was sought; ten ISO applications, of which seven clients were requesting child support for the first time and three clients were requesting a variation of child support. The Summerside Child Support Guidelines Office also assisted seven clients apply for a provisional variation application under the Divorce Act. The office also assisted self-represented litigants obtain 33 consent orders for first time child support and 36 consent orders for a variation of child support. In addition, the office assisted self-represented litigants with seven response affidavits.

The Maintenance Enforcement Program collects and disburses child/spousal support payments and takes steps to enforce orders and agreements if payments are in arrears. In FY 2013-2014, the Maintenance Enforcement Program collected approximately $7,273,221 in support payments. In FY 2013-2014, the Maintenance Enforcement Program managed 1,999 cases, including 1,566 cases involving child support only, 54 cases involving spousal support only, 18 cases involving child and spousal support, and 361 cases for the collection of arrears only. Two hundred and fifteen new child support orders were registered with the Maintenance Enforcement Program in FY 2013-2014.

In FY 2013-2014, the ISO Enforcement Officer received 18 ISO applications for child support or a variation of child support from other Canadian provinces and territories and forwarded 34 ISO applications to other Canadian Provinces and territories.

The Administrative Recalculation Office recalculates child support in cases where the original order/agreement provides for the automatic administrative recalculation of child support on an annual basis and where the discretion of the court is not required. This allows the parties to update child support in accordance with the parties' income without proceeding back through the courts. The office services all of Prince Edward Island. In FY 2013-2014, administrative recalculation of child support services were provided province wide in cases where the original order/agreement provided for the automatic administrative recalculation of child support on an annual basis and where the discretion of the Court was not required. Between April 1, 2013, and March 31, 2014, 99 new orders and agreements were filed with the Administrative Recalculation Office.

In FY 2013-2014, there were 326 recalculation notices issued. Of the 326 recalculation notices issued, in 227 cases, the amount of child support increased; in 80 cases, there was a decrease in child support; and in 19 cases, the child support amount remained unchanged.

The manager of the Family Law Section coordinated all family justice initiatives in FY 2013-2014. Having a project manager oversee all family justice initiatives in the province allows for family justice services to be delivered in a strategic and coordinated manner. The participation of the manager on a number of federal/provincial/territorial committees, working groups and sub-committees, including Coordinating Committee of Seniors in Family Justice (CCSO - Family Justice); Working Group on Child Support; Working Group on s. 25.1 Recalculation Services; Implementation of the Hague Maintenance Convention; and Ad hoc Working Group on Family Violence allows for information sharing regarding best practices. The Manager is also the Central Authority for Prince Edward Island under the Hague Convention on the Civil Aspects of International Child Abduction. She also participates on a number of provincial working groups, including Linking Family and Criminal Justice Systems Working Group, which arose out of the Family Violence Symposium at Ottawa, Ontario, in early 2009; and an interdisciplinary working group looking at the issue of matrimonial property on Reserves. The manager is also a member of the Family Law Practitioners' Group, a group of PEI family law lawyers who meet periodically to discuss family law issues and work towards making recommendations for improvement to family law processes.

Office of the Public Trustee, Public Guardian and Official Guardian

Manager: Mark Gallant

The Office of the Public Trustee, Public Guardian and Official Guardian is a service made available to the public for the purpose of ensuring that vulnerable members of our society are appropriately cared for and are not at risk. Through the work of the office the physical and financial well being of vulnerable clients is maintained in the best interest of that person. The office is called upon to assist a vulnerable person in matters of a personal and/or financial nature where there are no family or friends who are ready, willing and able to assist the person and there is an apparent need for assistance. The office operates on the principal that decisions made on behalf of a client of the office will always be made in the client's best interest.

Although the directing legislation for managing the affairs of a person's financial and personal interest empowers the office to step into the decision making role of a client, the office strives where possible to work through decisions on behalf of clients with the clients themselves. The office maintains that where possible, working with the client in the decision making process is tantamount. It forms part of the mandate of the office. The integrity of the client will always be seen as a guiding principal in the work that is carried out by the office.

The Official Guardian role of the office provides for an independent oversight on behalf of minors and vulnerable adults of court settlements and other matters which may impact on the rights of these unrepresented parties in legal proceedings.

The Office of the Public Trustee, Public Guardian and Official Guardian was officially established as of April 1, 2009, under the Legal and Judicial Services Division of the Office of the Attorney General (now the Legal and Court Services Division of the Department of Justice and Public Safety). Prior to April 1, 2009, the Office of the Public Trustee, Public Guardian and Official

Guardian were separate offices under different divisions and in some respects, different departments. The three offices were amalgamated and put under the authority of the Attorney General due to the unique legal authorities and aspects of the work of the offices.

Public Trustee

The Public Trustee is established as a corporation sole under the *Public Trustee Act* pursuant to an appointment of the Minister of Environment, Labour and Justice. The powers of the Public Trustee are established pursuant to the *Public Trustee Act*. The Public Trustee on appointment as committee for a client is empowered to manage the legal and financial affairs of a vulnerable person. The Public Trustee has also been granted specific powers by numerous pieces of legislation and the Rules of Court of the Province of Prince Edward Island. The Public Trustee can be appointed as Committee of a person upon receipt of 2 medical certificates from 2 practicing physicians within the province of Prince Edward Island (one designate is to be the attending physician of the person) who make a finding that a person is no longer able to manage his or her financial affairs by reason of incapacity. Certificates are based on a thorough assessment of the individual by the physician. In many instances at least one assessment is conducted by the provincial geriatrician or a psychiatrist. The Public Trustee may also be appointed to act as committee pursuant to an order of the court.

Upon being appointed committee, the Office of the Public Trustee will move to establish the asset base of the client and what is required for the benefit of the client to ensure that he or she is appropriately cared for. The Public Trustee will attempt, where possible, to gain guidance for any decisions that he makes from the client and is quick to recognize the importance of personal choices of a client and the client's desire to continue to participate in activities that are of interest to the client. The office will, in working with the client, attempt to advance the clients wishes where doing so is justifiable on a financial management basis.

The funds held in trust by the Public Trustee are not public funds, but personal funds of individuals who have been declared legally incapable of managing their financial and legal affairs. In addition, the Public Trustee holds funds on behalf of minors or other persons who are under disability which were awarded through court settlements, estates, or under Attorney General's Orders pursuant to the Victim's of Crime Act. The Public Trustee is also called upon to represent deceased person's estates in certain situations and act as Administrator of Estates when no one else is available or qualified to do so. In addition, the Public Trustee may act as litigation guardian for minors or other persons under legal disability, and may intervene in private applications for trusteeship if the Public Trustee considers it appropriate in the circumstances.

There is a Public Trustee Advisory Committee which is consulted from time to time regarding administration and other issues as the need arises.

Public Guardian

The Public Guardian is established under Part 3 of the *Mental Health Act* by court order. Upon being appointed as guardian, the guardian is empowered to make decisions of a personal nature on behalf of a client. Decisions made by the guardian may involve areas such as personal health care, residence, education, nutrition, and medical care. As with the Public Trustee authority, although the guardian is authorized to replace the decision making of the client, the Public Guardian will

where possible, work with the client to advance decisions for the benefit of the client. The Public Guardian sees it's mandate as working with the client where possible in order to make decisions which are in the client's best interest. The Public Guardian, in respecting the integrity of the client, will work to involve the client, where possible, in all decisions made on behalf of the client.

The clients of the Public Guardian are adult individuals who have been declared legally incapable of making decisions of a personal nature which are in their best interest. As it is recognized that without representation by a guardian the inability of the client to act on his/her own is putting that persons personal health at risk, the appointment of a guardian pursuant to the provisions of the *Mental Health Act* is determined to be a necessity.

With the exception of decisions regarding finances, the Public Guardian is responsible for making all personal decisions for clients related to all areas of daily living, including but not limited to those areas discussed previously. In addition, the Public Guardian is also mandated to make medical decisions on behalf of certain individuals, on a case-by-case/incident-by-incident basis, as a substitute decision-maker under the *Consent to Treatment and Health Care Directives Act*, when the individual is unable to consent to a required medical intervention and there is no one else available or able to consent to the medical intervention on behalf of the individual.

Increased Workload for Office of Public Trustee, Public and Official Guardian

The number of complicated client files under the Public Trustee has been increasing each year. It appears that many persons being admitted to supervised care and/or nursing care are being declared incompetent to manage their financial affairs before admission to a facility, and individuals remaining in the community are appearing to be becoming more vulnerable to being taken advantage of financially by others. The files are becoming more and more complex and are requiring much higher levels of involvement by the Public Trustee. Also, due to increasingly complex family dynamics, there is progressively more interaction with extended family members being required. The number of inquiries from the public and time spent responding to such inquiries, including explaining the process and trusteeship roles and responsibilities, has also been increasing steadily.

The number of client files under the Public Guardian has also been steadily increasing each year, and it is anticipated that this trend will also continue and very likely accelerate, particularly given the aging demographic of our society. As well, it is anticipated that the role of the Public Guardian will become increasingly more involved. The number of younger clients has been increasing in about equal number to the more aging clients. Over the past year, we have had several clients pass on. Overall however, the physical ability and longevity of our clientele is increasing and we have many younger clientele. As well, as previously indicated, individual files are becoming progressively more complex. The end result is that the participation of the Public Guardian office with each client is for a longer term and the issues and work involved with the client are more complex.

It is anticipated that the changing age demographics, increase in individuals remaining in their homes longer, a decrease in family and/or community support for vulnerable persons and other societal changes will add to the client numbers and increased complexity of cases for both the

Public Trustee and Public Guardian.
The office continues to enjoy a close working relationship with the health care system and other agencies. As a result both offices are better able to deal with personal and financial client issues. This further assists our offices to find the most appropriate alternatives and services for clients determined unable to look after their financial and personal affairs.

Staff

Public Trustee, Public Guardian, Official Guardian	Mark L. Gallant
Deputy Public Trustee	Robert L. Landry
Deputy Public Guardian	Deborah E. MacDonald
Administrative Assistant	Nancy L. Walker

Crown Attorneys Division

Mandate
The Crown Attorneys' Office is mandated to represent the Attorney General of the province in all aspects of his prosecutorial function. The Crown Attorneys' Office prosecutes offences under the *Criminal Code of Canada*, the *Youth Criminal Justice Act* and provincial statutes in the Provincial, Supreme and Appeal Courts of Prince Edward Island and in the Supreme Court of Canada. The Crown Attorneys' Office also provides legal advice on criminal law to government ministries and the police, and develops policies and procedures on issues relating to the prosecution of criminal cases.

Mission statement
The mission of the Crown Attorneys' Division is to ensure fair and equal treatment in prosecuting offences.

Vision Statement
In attempting to achieve its mission, the Crown Attorneys' Office contributes to the government's priority of fulfilling its social responsibility for providing for public safety.

In order to accomplish its mission, the Crown Attorneys' Office has set the following goals:

(a) Providing a prosecutorial service that reflects professional competency, dedication to public service and high ethical standards;
(b) Providing a prosecutorial service that identifies and allocates the resources required to carry out its mission;
(c) Providing within the prosecutorial service an environment that allows for the independent exercise of prosecutorial discretion; and
(d) Providing a prosecutorial service that is reflective of the community it serves.

Main Activities
(a) Provide advice to the police, upon their request;
(b) Provide advice to provincial government departments, upon their request, concerning enforcement and prosecutions under provincial legislation;
(c) Represent the Crown at judicial interim release (bail) hearings and preliminary inquiries

in indictable criminal matters;

(d) Prosecute *Criminal Code, Youth Criminal Justice Act,* and provincial statute offences;

(e) Represent the Attorney General in criminal appeals before the Supreme Court of Prince Edward Island;

(f) Represent the Attorney General in criminal appeals before the Supreme Court of Canada;

(g) Arrange and deal with criminal charges transferred to and from this province;

(h) Act for the Crown pursuant to the provisions of the *Coroner's Act;*

(I) Defend against constitutional challenges to provisions of the *Criminal Code of Canada,* the *Youth Criminal Justice Act* and provincial statute offences;

(j) Participate in the Alternative Measures Program for young offenders and adult offenders;

(k) Represent the Attorney General at the Criminal Code Review Board;

(l) Conduct criminal law refresher programs with the various police agencies in the province; and

(m) Participate on a number of federal/provincial/territorial committees and consult with task forces in relation to various criminal law initiatives, which include:

- (i) DNA Data Bank;
- (ii) *Firearms Act;*
- (iii) *Corrections and Conditional Release Act* review;
- (iv) Youth Criminal Justice Act;
- (v) Cross-Border Crime;
- (vi) National High Risk Offender flagging system;
- (vii) FPT Sentencing Working Group;
- (viii) Victims Services Advisory Committee;
- (ix) Strategy for the Renewal of Youth Justice;
- (x) Repeat Impaired Driving Project;
- (xi) Aboriginal Community Justice Working Group;
- (xii) Interagency Committee on Family Violence;
- (xiii) Unified Law Conference (Criminal Law Section);
- (xiv) Organized Crime; and
- (xv) Anti-Terrorism.

Administration

The administrative office is located in Charlottetown. The Charlottetown office handles court matters in the Supreme Court in Charlottetown and the Provincial Courts located in Charlottetown and Georgetown. The Charlottetown office deals with other matters relating to the administration of prosecutions in the province. The Summerside branch office is responsible for Prince County Supreme and Provincial court matters located in Summerside.

Organization

As of March 31, 2013 the staffing of the Division is as follows:

Director - Cyndria L. Wedge, Charlottetown office
Senior Crown Attorney - David P. O'Brien, Q.C., Summerside office
Senior Crown Attorney - Gerald Quinn, Q.C., Charlottetown office
Crown Attorney - Valerie A. Moore, Q.C,, Charlottetown office
Crown Attorney - John A. McMillan, Q.C., Charlottetown office
Crown Attorney - Lisa Goulden, Charlottetown office
Crown Attorney - John R. Diamond, Q.C., Summerside office

Crown Attorney - Jeffery MacDonald, Charlottetown office
Adm. Assistant - Wendy R. McKeeman, Charlottetown office
Adm. Support Worker - Michele Montgomery, Summerside office
Adm. Support Worker - Lisa Munn, Charlottetown office
Adm. Support Worker - Teryllee Compton, Charlottetown office

Caseload

Overview

A combined total of 5,421 adult and young offender *Criminal Code* charges were laid in the fiscal year 2013-2014. The four prior fiscal years are included for comparison purposes.

Fiscal Year	Adult	Young Offenders	Total
2009-2010	4,748	445	5,193
2010-2011	4,827	518	5,345
2011-2012	4,530	570	5,100
2012-2013	4,877	544	5,421
2013-2014	4,682	493	5,175

Provincial statutory offences are not included in the above-noted totals. In the fiscal year 2013 - 2014 the Crown Attorneys' Division dealt with 191 contested provincial matters. The preceding three fiscal years are as follows:

Fiscal Year	Total
2010-2011	272
2011-2012	251
2012-2013	284
2013-2014	191

Alternative Measures

For the fiscal year 2013 - 2014 a total of 113 adults had criminal matters dealt with by way of alternative measures, pursuant to s. 717(1)(a) of the *Criminal Code*. During the same period, 53 youth criminal matters went by way of the alternative measures program. The preceding three fiscal years are included for comparison purposes.

Fiscal Year	Adult	Young Offenders	Total
2010-2011	114	43	157
2011-2012	155	51	201
2012-2013	118	46	164
2013-2014	113	53	166

Appeals

During the fiscal year 2013 - 2014 there were a total of 43 appeals involving the Crown Attorneys' office. The total consisted of one Supreme Court of Canada appeal, two Crown appeals, nine Defence appeals, two Prisoner appeals and 29 Administrative appeals. The preceding three fiscal years are included for comparison purposes.

Fiscal Year	S.C.C.	Crown	Defence	Prisoner	Administrative	Total
2010-2011		3	9	1	23	36
2011-2012		4	10	2	15	30
2012-2013		0	3	0	15	18
2013-2014	1	2	9	2	29	43

Community and Correctional Services Division

Director: John R. Picketts

Mandate

The Community and Correctional Services Division is an essential part of the criminal justice system, mandated to enhance public safety by contributing to the rehabilitation of youth and adult offenders, and provide services to victims of crime. The Division delivers a variety of programs through six sections: Victim Services, Community Services, Correctional Services, Clinical Services, Corporate Section and Planning and Development. The Division also contributes to public education, community development, crime prevention, research and policy and program development.

Divisional priorities for 2013-2014 were focussed on three broad goals :

- individuals are safe and secure from crime, the rights of people are protected and crime is reduced;
- the Community and Correctional Services Division is able to recruit and retain a qualified and motivated staff complement; and
- ensure that Community and Correctional Services Division is well positioned to meet current and future service demands.

Corporate Services Section

The primary areas of responsibility of Corporate Services include: budgetary control, monitoring and forecasting of divisional revenues and expenditures; assisting the department with process; negotiating and preparing claims for the numerous federally funded agreements and projects in our division; negotiation of exchange of service agreements with Correctional Services Canada; PEI representative on federal-provincial-territorial committees; lead on federally funded projects; auditing expenditures and processes; leadership role in developing a statistical tracking process for the division; approving and planning divisional purchases and monitoring inventory levels; coordinating administration functions and cross training of admin staff; and providing support to divisional managers in financial and process decisions.

Highlights and Initiatives:

- Participation in Heads of Corrections (HOC) Corrections Information and Statistics Sub-committee (CORIS) to develop comparable national statistics and indicators in corrections.
- Improvements to data collection processes and reporting of client information.
- Development of Youth Information Management System (YIM) in Youth Custody.
- Development of on-line courseware using e-Learning model to supplement existing training opportunities for employees.
- Implementation of on-line assessment tool, Level of Service/Case Management Inventory (LS/CMI), to assess client risk to re-offend.

Priorities for 2014-2015

- Youth Information Management System expanded to include Community Programs and Adult Custody.
- Continued implementation of records management throughout the Division.
- Further develop on-line training capacity using e-Learning model.
- Continued improvement of statistical capacity, with particular emphasis on community programs.

Planning and Development Section

The primary areas of responsibility of Planning and Development include: human resource planning, staffing, coordination of divisional training, policy development, occupational health and safety and employee wellness. Regional initiatives continue through participation in the Atlantic Human Resource Committee which report to the Atlantic Heads of Corrections.

Highlights and Initiatives:

- A divisional cohort training model for new and current supervisors/managers was developed.
- Divisional Distinguished Contribution Awards and long-term service awards presentation at Rodd West Royalty May 2013.
- Recruitment initiatives have enabled the Division to recruit and retain a qualified and motivated staff complement with emphasis on the custody sites.
- Work continues with the Atlantic Human Resources (HR) Committee with a focus on standardized core competencies for correctional officers in the Atlantic Provinces.
- Work continues with the National Heads of Corrections HR/Training Sub-committee on national standards and screening tools for recruitment and retention of correctional officers.

Priorities for 2014-2015:

- Develop a partnership with Regional Correctional Trainers to deliver enhanced security training for Disturbance Response Unit.
- Divisional lead on the Departmental Strategic Plan.
- Expand Divisional Mentoring Program to include more work sites.
- Develop Divisional Training Calendar for 2014-2016.

- Continue with the development of standardized core competencies for correctional officers in the Atlantic Provinces, through the Atlantic HR Committee.
- Ensure the Divisional Newsletter is published and distributed to staff and retirees on a bi-annual basis.

Victim Services

Statistical Overview

The following provides a brief statistical overview of client demand and service trends. Further information and statistics regarding the Victim Services Program and Criminal Injuries Compensation Program are contained in the *25th Annual Report of the Victims of Crime Act*. Victim Services cases are categorized in the following classifications: general, sexual abuse, female partner abuse, other family abuse, and commercial/business. The percentage breakdown of new cases by case classification in 2013-2014, and a comparison with previous years, is noted as follows:

Victim Services New Cases			
Type of Client	Per Cent Breakdown		
	2011/12	2012/13	2013/14
General*	47	44	49
Female Partner Abuse	26	28	25
Other Family Abuse	10	12	11
Sexual Abuse	9	7	8
Commercial/Business	8	9	7

** General includes break and enter, damage to property, theft, general assaults, impaired driving causing injury or death, etc.*

Caseload Trends

There were 901 new cases referred to Victim Services in 2013-2014, in addition to approximately 659 cases carried forward from the previous year. As of March 31, 2014, there were 599 active cases across the province. The average monthly caseload in 2013-2014 was 671 cases.

Victim Impact Statements

Victim Services is designated by Lieutenant Governor in Council as the program responsible for preparing and filing victim impact statements. In 2013-2014, there were 151 victim impact statements prepared and filed with the court. Over the past ten years, the number of victim impact statements filed on an annual basis has ranged from 195 to 318.

Criminal Injuries Compensation

Under the *Victims of Crime Act*, Victim Services is responsible for receiving applications and investigating claims for criminal injuries compensation. During the fiscal year 2013-2014, 23 new applications for criminal injuries compensation were filed, and 120 applications were carried over

from the previous year. Thirty eight final decisions and two interim decisions were made in 2013-2014. A total of $174,461 was awarded in criminal injuries compensation.

Victims of Family Violence Act

The *Victims of Family Violence Act* came into effect in December, 1996. Under this act, Emergency Protection Orders are available 24 hours/day from designated justices of the peace. In non-emergency situations, longer-term Victim Assistance Orders are available by application to the Supreme Court. Victim Services staff assist with training and ongoing monitoring and promotion of the use of the *Victims of Family Violence Act*.

In 2013-2014, there were 34 applications for Emergency Protection Orders under the *Victims of Family Violence Act*, and one application for a Victim Assistance Order. Since the proclamation of the Act in December 1996, there have been a total of 717 Emergency Protection Orders granted.

Highlights and Initiatives

- In partnership with the PEI Child Sexual Abuse Advisory Committee, Victim Services assisted in implementation and training for the updated PEI Child Sexual Abuse Protocol. Six government departments, all Island police services and both First Nations signed on to the protocol to support an integrated, collaborative response to child sexual abuse.
- Additional funds were allocated to the Criminal Injuries Compensation Program in 2013-2014 to reduce the backlog of claims awaiting adjudication.
- Ongoing efforts to address the needs of victims of domestic violence and sexual abuse included assisting in an advisory capacity to research conducted by the PEI Rape and Sexual Assault Centre *"Enhancing Services for Male Survivors of Sexual Trauma in PEI"*.
- Efforts continued to strengthen linkages with minority and multicultural groups, including awareness raising initiatives in partnership with francophone and aboriginal communities; and participation in a project *" Supporting Immigrant Women and Girls Experiencing Violence"*.
- Victim Services Workers participated in specialized staff training initiatives, including a focus in the area of grief and trauma, and an opportunity for joint training with Nova Scotia Victim Services Workers.

Priorities for 2014/2015

In collaboration with government and community partners, the objectives for the 2014/2015 fiscal year include advancing initiatives in the following areas:

- monitor and plan for implications of federal legislation, including the proposed *Victims Bill of Rights* and the *Family Homes on Reserves and Matrimonial Interests or Rights Act*;
- improve linkages between the civil and criminal court systems in cases of family violence;
- reduce the number of criminal injuries compensation claims awaiting adjudication.

Community Services

The Community Services Section is responsible for the planning, administration and delivery of community-based correctional programs and services, including Adult Probation Services and Youth Justice Services. The section also supports inter-agency initiatives and partnerships with a particular focus on early intervention, restorative justice, crime prevention and community development. Community Services personnel support/assist in public education efforts on criminal justice and community corrections.

Probation Services

Probation Services delivers province-wide community-based correctional programs and services to clients and the adult criminal court. This includes:

- supervision and enforcement of adult probation orders and conditional sentence orders;
- case management based on a client's assessed needs and specific requirements of the case (e.g., court orders);
- investigation and preparation of pre-sentence reports as requested by the courts;
- the development and management of alternative measures agreements for adult cases referred through Crown Counsel;
- processing and management of adult cases under the provincial Fine Option Program; and
- ensuring appropriate action and follow-up in cases of default or non-compliance with court orders and/or alternative measures agreements.

Statistical Summary

Community Services

PROBATION SERVICES

CASELOADS/WORKLOADS - ADULT OFFENDERS

FISCAL YEAR APRIL 1, 2013 - MARCH 31, 2014

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Total
Cases Under Supervision (Note: end of Quarter) (Include AM, FO, Cond/Sent and Probation)	931	928	977	988	
New Cases Opened (Include AM, FO, Cond/Sent and Probation)	280	336	263	200	1079
Court Reports (written or verbal)	67	65	74	80	286
New Charges (Breaches)	59	41	39	47	186
Probation Admissions under a Probation Order	224	283	201	149	857
Alternative Measures Admissions	32	25	39	24	120
Conditional Sentence Order Admissions	8	7	4	2	21
Fine Options Admissions	16	21	19	25	81

The number of cases under supervision , in the fourth quarter of the 2013-2014 fiscal year, shows an increase of fifty (50) cases over the fourth quarter of the 2012-2013 fiscal year. The increase is attributed to new probation admissions/orders (857 compared to last year's 834) over the fiscal year.

There was a slight decrease in the number of Alternative Measure referrals (120) for the 2013-2014 fiscal year, down from last year's report of 127. Higher risk referrals and longer agreement/contract terms are of concern and are being monitored by probation services and the crown attorney's office.

The Conditional Sentence Order admissions show a decrease of one (1) from last year's report (21 this year compared to last year's total of 22).

There was a noticeable increase in the number of court reports requested this fiscal year, with an additional fifty-four (54) reports being requested over the previous fiscal year (232-286). This may be attributed to an increase in requests from the court for reports specifically focussed on a single domain of an offender's life.

Youth Justice Services

The goal of Youth Justice Services is to provide a meaningful multi-disciplinary approach to intervention with youth and families with the intent of reducing the incidence of youth crime and the entry of young people into the formal justice system. Youth Justice Services delivers the following province-wide community-based correctional programs and services for young people and the youth criminal justice courts:

Youth Probation

- supervision and enforcement of youth probation orders;
- case management based on a client's assessed needs and specific requirements of the case (e.g. court orders).
- investigation and preparation of pre-sentence and progress reports as requested by the court;
- the development and management of alternative measures agreements for youth cases referred through Crown Counsel;
- supervision and management of deferred custody and supervision orders, and the community portion of custody and community supervision orders;
- processing and management of youth cases under the provincial Fine Option Program; and
- ensuring appropriate action and follow-up in cases of default or non-compliance with court orders and/or alternative measures agreements.

Community Youth Workers

- one-to-one casework, counselling and support services,
- community supervision and support for high risk youth and their families;
- facilitate preventative programs for youth and their families within the community.
- active involvement in sustainable community development initiatives designed to support youth at risk in their own communities.

Youth Intervention Outreach Program

This program provides a community-based intervention service working directly with police agencies to assist with youth and family problems where the police have identified youth behaviour that places them at risk for actual or potential conflict with the law.

YOUTH JUSTICE SERVICES CASELOADS/WORKLOADS - *YOUTH OFFENDERS* FISCAL YEAR APRIL 1, 2013 - MARCH 31, 2014					
	First Quarter	**Second Quarter**	**Third Quarter**	**Fourth Quarter**	**Total**
Cases Under Supervision (Note: end of Quarter) (Include AM, FO, Cond/Sent and Probation)	161	157	161	147	
New Cases Opened (Include AM, FO, Cond/Sent and Probation)	39	45	52	34	170
Court Reports - written	9	8	3	6	26
Court Reports - oral	14	9	19	19	61
New Charges (Breaches)	13	12	20	19	64
Probation Admissions under a Probation Order	17	13	20	12	62
Alternative Measures Admissions	10	13	21	9	53
Custody & Community Supervision Order Admissions	4	9	5	6	24
Fine Options Admissions	3	2	2	0	7
Youth Intervention Outreach Program Referrals	42	38	41	39	160

Highlights and Initiatives

Youth Justice:

Innovative initiatives, at the Youth Justice Services level, were sustained and others developed including:

- Established the Grandparents Group which is an ongoing support group for grandparents who are significant or the primary caregivers in the lives of their grandchildren.
- Graffiti Wipe-Out Program - a program designed to eliminate graffiti in Summerside by engaging 'graffiti involved' youth to paint affected areas in partnership with the Outreach Worker and police.
- Comprehensive training delivered to Youth Justice Workers and Community Youth Workers on the Strategic Training Initiative in Community Supervision (STICS) model, an evidence-based approach to effective intervention with youth involved with the justice system; and, implementation of strategies to sustain the STICS model across the Division, including regular monthly meetings and ongoing dialogue.

- Hosted an Atlantic Conference on March 4 and 5, 2014, funded by Justice Canada, entitled *Youth with Mental Health Needs Who Offend: Complex Issues*. Conference participants and presenters represented the four Atlantic Provinces.
- Showcased the effective work of the Youth Intervention Outreach Program via a panel presentation at an Atlantic Symposium in Fredericton, New Brunswick entitled Youth, Mental Health and the Criminal Justice System.
- Participation on Multi-Agency Support Teams (MAST) was expanded to West Prince where Youth Justice Services staff are now on teams at Callaghan Junior High, Hernewood Junior High and Westile High School.

Probation

- All Adult Probation Officers received training on LS/CMI risk assessment tool.
- STICS model has been sustained, via regular monthly sessions and a one day refresher, to discuss topics to reinforce STICS concepts.
- Successful pilot project designed to facilitate the timely signing of probation orders and Conditional Sentence Orders in Georgetown and Charlottetown Courts.

Priorities for 2014-2015

Youth Justice

- Explore opportunities to strengthen Prince Edward Island's partnership with the Youth Intervention Diversion program based in New Brunswick and share expertise and resources. Potential initiatives include training youth intervention outreach workers on the use of the YLS/CMI Screening Tool and certifying staff in the use of the Seeing Oneself program which is evidenced based and effective in addressing concurrent disorders of mental health and substance abuse. It is designed for group or individual work with youth.
- Develop a File Retention Schedule which is consistent with direction provided by the YCJA and recommend it be adopted via the Public Records Committee.
- Ensure youth justice workers receive training in the most current version of the Youth Level of Service/Case Management Inventory (YLS/CMI) which is gender responsive. In addition, make available the on-line version of this risk assessment tool which offers enhanced case management support and detailed reports.
- Strengthen collaboration and coordination with other youth serving agencies by contributing as a key partner to proposed further expansion of MAST teams to Kensington Intermediate Senior High School and Kinkora High School. In addition, support and contribute to the Integrated Service Delivery model to be piloted at Three Oaks Senior High School.
- Strengthen support to parents and families by exploring evidenced- based parenting programs and provide training to staff where feasible ie. Triple P.
- Implement recommendations from the Methodology Project for program evaluation.

Probation

- Seek support to expand implementation of the court order signing project recently piloted in Charlottetown and Georgetown provincial courts.
- Examine the feasibility of participating in the "court order registry" program recently developed by the Supreme Court.
- Explore development of a policy on standardized reporting for probation orders, conditional sentence orders and alternative measures agreements.

- Analyze the Youth/Adult Alternative Measures policy (dated November 2010), by obtaining data over a one year period, and sharing results with invested stakeholders. In addition review and make recommendations to update the policy in keeping with the Criminal Code of Canada.
- Develop pre-sentence report guidelines, for offenders who self identify as aboriginal, based on R vs Gladue decision.
- In response to Bill C-30 ® vs Shoker Act), develop policy and/ or protocol regarding the taking samples of bodily substances in the community.

Correctional Services Section

Correctional Services is comprised of three institutions: two adult facilities (Provincial Correctional Center and Prince Correctional Center) and a dual designated youth facility at PEI Youth Center. The primary functions are: sentence administration, remand, lock-up, court support, and open and secure custody. Internal programs include: academic, workshop, addictions, life skills, employment preparation, anger management, community service, family awareness programs, and recreation. All facilities are available to the community for meetings, recreation, training, and educational tours.

Statistical Summary
Youth Custody Services

PEI YOUTH CENTRE RESIDENT DAYS
APRIL 1, 2013 - MARCH 31, 2014

	Type of Residency				
Month	Lock-Up Days	Remand Days	Open Custody Days	Secure Custody Days	Monthly Total Resident Days
April, 2013	2	43	57	91	193
May, 2013	0	20	82	78	180
June, 2013	0	22	81	70	173
July, 2013	2	66	84	52	204
August, 2013	2	35	168	43	248
September, 2013	2	32	115	44	193
October, 2013	1	7	102	61	171
November, 2013	1	13	96	73	183
December, 2013	0	0	105	38	143
January, 2014	0	2	88	31	121
February, 2014	2	9	14	35	60
March 2014	0	35	55	31	121
Total FY 13/14	12	284	1047	647	1990
% of Residency Based on FY Totals	1%	14%	53%	33%	100%
% of Residency Based on Two (2) 8-Bed Units, Full Capacity			36%	22%	34%
2920 per unit *2 = 5840					

PRINCE COUNTY CORRECTIONAL CENTRE

INMATE DAYS - ADULT CUSTODY
FISCAL YEAR APRIL 1, 2013 - MARCH 31, 2014

Description	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Yearly Total	Average Daily Count
Sentenced Male	308	649	611	451	2019	**5.5**
*PCC Sentenced transfers held **	305	263	211	275	1054	**2.9**
Remand Male	195	31	190	214	630	**1.7**
*PCC Remand transfers held **	14	20	37	13	84	**0.2**
Intermittent Male	112	64	52	59	287	**0.8**
*PCC Intermittent transfers held **	0	4	3	0	7	**0.02**
Exchange of Service Agreement (ESA) Male	0	0	0	0	0	**0**
Lockup Male	125	121	64	46	356	**1**
Lockup Female	5	4	8	4	21	**0.1**
Federal Parole Violator (FPV) Male	0	0	19	0	19	**0.05**
Community Based Residential Facility (CBRF) Male	0	31	0	0	31	**0.1**
Annual Totals	1064	1187	1195	1062	4508	**12.5**

** These numbers relate to the inmates transferred from Provincial Correctional Centre to be housed at the Prince County Correctional Centre . These inmates have been issued an Inmate Number at PCC.*

Statistical Summary
Adult Custody Services

PROVINCIAL CORRECTIONAL CENTRE

INMATE DAYS - ADULT CUSTODY
FISCAL YEAR APRIL 1, 2013 - MARCH 31, 2014

Description	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Yearly Total	Average Daily Count
Sentenced Male	4254	4726	4467	5019	18466	50.6
Sentenced Female	430	511	746	581	2268	6.2
PRCC Sentenced transfers held *	1213	2051	1793	1443	6500	17.8
Intermittent Male	646	377	524	624	2171	5.9
Intermittent Female	86	77	129	98	390	1.1
PRCC Intermittent transfers held *	191	233	187	81	692	1.9
Exchange of Service Agreement (ESA) Male	74	65	0	0	139	0.4
Exchange of Service Agreement (ESA) Female	0	0	0	0	0	0
Remand Male	1396	1434	1656	1218	5704	15.6
Remand Female	136	190	207	237	770	2.1
PRCC Remand transfers held *	96	109	144	82	431	1.2
Lockup Male	258	225	174	165	822	2.2
Lockup Female	35	52	35	42	164	0.4
Young Offenders Male	3	5	6	2	16	0
Young Offenders Female	2	3	3	5	13	0
Federal Parole Violators (FPV) Male	17	30	0	0	47	0.1
Federal Parole Violators (FPV) Female	0	0	0	0	0	0
Community Based Residential Facility (CBRF) Male	64	59	117	133	373	1
Community Based Residential Facility (CBRF) Female	0	0	0	0	0	0
Annual Totals	8901	10147	10188	9730	38966	106.7

* *These numbers relate to the inmates transferred from Prince County Correctional Centre to be housed at the Provincial Correctional Centre. These inmates have been issued an Inmate Number at PRCC.*

Highlights and Initiatives

- In partnership with Correctional Service Canada, Prince Edward Island implemented the Integrated Correctional Program Model . This is a holistic and integrated program designed to address all criminogenic needs of offenders, such as substance abuse, family violence and sexual offending.
- Renovations to the PEI Youth Centre were completed to house any overflow of adult offenders. Two units were fully equipped for operation and unit staff received Direct Supervision Model Training.
- Partnership with the John Howard Society continues to benefit incarcerated offenders.
- Operational Reviews and Security Audits were completed at all three (3) custody facilities in the Province.
- Ten inmates completed the General Educational Development Program (GED). On average between 20-25 inmates participated, at any given time, in the GED program, upgrades or correspondence courses.
- New Greenhouse Project developed to assist in providing clients with Community Service options.
- Training on *Incident Review* provided to adult supervisors for investigation purposes.

Priorities for 2014 - 2015

- Need for capital investment in an appropriate unit for women offenders
- Need for capital planning for infrastructure in adult custody
- Require contingency plan for overflow in adult custody
- Psychiatric services for Adult Custody
- Complete construction on new Airing court PCC
- Submission for Position to deliver the Integrated Correctional Program Model (ICPM) for adult custody.
- Ongoing work with TIR for investments in institutions.
- Continue to increase provincial parole numbers.

Clinical Services

Clinical Services Team members offer individual or group treatment for adults and youth offenders, on an ongoing, as-needed basis, based on referrals from both Community and Custody Services. These can be brief interventions of only a few sessions, or ongoing treatment or mental health counselling over the entire course of the individual client's disposition. The target population of the team's services are high risk adults and youth in the justice system.

Clinical Services' main focus is to intervene with clients whose behaviours may create risk towards family, community members or themselves. By addressing the risk/needs of the client, Clinical Services will decrease risk of recidivism, increase the adaptive capacities of the clients in community and custody, and increase safety for the community.

Clinical Services offers specialized programming and treatment in the areas of mental health, anger management, domestic violence, parenting, Aboriginal services, relationships, sexual deviancy and motivational and supportive counselling.

Team members also respond to staff members with individual consultive needs, with or without client contact. Many of these client contacts extend beyond a particular segment of the disposition, that is, an individual who was first seen in custody may continue to be seen in the community upon release, and may continue to be seen if the client returns to custody. The fact that the same team member can continue to see a particular client in these different settings provides a continuity of care that is important in maintaining a consistent therapeutic context.

Highlights and Initiatives

- Continued improvements in accurate statistical data collection.
- Probation Services staff trained in the use and online scoring of the LS/CMI risk/need assessment tool.
- Youth Justice Services staff trained in the use and online scoring of the YLS/CMI 2.0 risk/need assessment tool.
- Annual Divisional Open House.
- Two certified Mental Health First Aid Instructors (MHFA) for Adults who work with Youth. Program is now designated as a Divisional core program.
- Clinical staff member certified as Applied Suicide Intervention Skills Training (ASIST) instructor to train the Division on suicide/self harm prevention.
- Aboriginal case worker certified to facilitate both the Integrated Correctional Program Model (ICPM) and Aboriginal Integrated Correctional Program Model (AICPM) developed by Correctional Services of Canada (CSC).

Clinical Services Client Contacts April 1, 2013 - March 31, 2014 ADULT			
Programs	**Males**	**Females**	**Total**
Turning Point Program (3 programs: 2-Ch'town, 1-S'side)	53	0	53
Sexual Deviance Treatment (1 program)	9	0	9
Sex Offender Support Maintenance Group (follow-up to treatment)	6	0	6
Parenting Program (2 Programs)	16	0	16
Total Number of Program Participants	**84**	**0**	**84**
Assessments	**Males**	**Females**	**Total**
Anger Management	70	15	85
Sexual Deviance	19	0	19
Turning Point	80	0	80
Turning Point Victim Contacts/Consults	0	53	53
Total Assessments	**169**	**68**	**237**
Individual Counselling	**Males**	**Females**	**Total**
One-to-One Counselling/Intervention (all programs)	527	126	653
Sexual Deviancy	109	0	109
Anger Management	396	50	446
Total Counselling	**1032 Sessions**	**176 Sessions**	**1208 Sessions**

Clinical Services Client Contacts April 1, 2013 - March 31, 2014 YOUTH			
Programs	**Males**	**Females**	**Total**
Sexual Deviancy Program	3	0	3
Total Number of Program Participants	**3**	**0**	**3**
Assessments	**Males**	**Females**	**Total**
Anger Management Assessments	0	0	0
Sexual Deviance Assessments-Adolescent	17	0	17
Other Program Assessments	0	0	0
Total Assessments	**17**	**0**	**17**
Individual Counselling	**Males**	**Females**	**Total**
One-to-One Counselling	302	75	377
Sexual Deviancy	109	0	109
Anger Management	5	5	10
Family Counselling	100	17	117
Total Counselling	**516 Sessions**	**97 Sessions**	**613 Sessions**

Priorities for 2014-2015

- Certify clinicians in the Global Appraisal of Individual Needs (GAIN) bio-psycho-social assessment of client's overall needs.
- Continue to strengthen relationships with Addictions and Mental Health, Child & Family Services along with other community groups and agencies.
- Focus on maintaining specialized training and skills development for Clinical staff.
- Research other evidence based assessment tools to aid in the treatment/programming/best practices of intimate partner violence, anger management and mental health.
- Introduce the Aboriginal Integrated Correctional Program Model (AICPM) program into the Aboriginal community.

Community Safety and Justice Policy Division

The Community Safety and Justice Policy division oversees a number of enforcement, public safety, and justice policy programs. The division is responsible for policing services, the provincial Investigation and Enforcement officers, the Coroner's Office, the PEI Firearms Office and the Office of Public Safety. In addition, it participates in a number of crime prevention and community safety programs. Division staff members manage Provincial Access and Privacy Services, provide policy analysis and advice to the Attorney General and Deputy Attorney General; and participate in interministerial policy groups, as well as federal-provincial and territorial justice research, statistics, and policy forums.

Access and Privacy Services

The Access and Privacy Services Office is responsible for processing requests received by Environment, Labour and Justice and providing advice and guidance to Freedom of Information and Protection of Privacy (FOIPP) Coordinators across government.

The number of FOIPP requests submitted to the Government of Prince Edward Island, and its designated public bodies increased this year while privacy complaints remained relatively the same.

	2012-2013	2013-2014
Requests to access information	114	137
Privacy complaints	2	3

Environment, Labour and Justice received the most requests this year. Combined, four public bodies received morethan half of all requests submitted throughout the year.

Who Received Access Requests	2012-2013	2013-2014
Agriculture & Forestry (AF)	3	3
Community Services & Seniors (CSS)	7	5
Department of Innovation & Advanced Learning (DIAL)	6	7
Education & Early Childhood Development (EECD)	6	4
Elections PEI (EPEI)	1	0
Environment, Labour & Justice (ELJ)	22	33
English Language School Board (ELSB)	3	7
Executive Council Office (EX)	2	6
Fisheries, Aquaculture & Rural Development (FARD)	1	0
Finance, Energy & Municipal Affairs (FEMA)	11	11
French Language School Board (FLSB)	0	2
Health & Wellness (HW)	6	17
Health PEI (HPEI)	13	7
Island Waste Management Corporation (IWMC)	1	0
Legal Aid (LA)	1	0
PEI Liquor Control Commission (PEILCC)	7	3
Premiere's Office (PO)	3	6
Public Service Commission (PSC)	0	2
Transportation & Infrastructure Renewal (TIR)	18	12
Tourism & Culture (TSM)	2	5
Workers Compensation Appeal Tribunal (WCAT)	0	1
Workers Compensation Board (WCB)	2	6
Totals	**115**	**137**

Individuals submit more FOIPP requests than any other group while requests submitted by political parties saw the greatest increase this year.

Who Made Access Requests	2012-2013	2013-2014
Media	33	17
Individual	46	55
Political party	1	25
Legal firm	17	7
Personal	12	17
Business	4	13
Union		1
Not-for-profit	0	1
Unknown (not recorded)	2	1
Totals	115	137

The majority of FOIPP files end with applicants receiving some, or all of the records they have requested. The Act dictates when information may be disclosed in full, in part or not at all.

How Access Requests Were Completed	2012 -2013	2013-2014
Records disclosed in part or full	46	55
Records disclosed in part (new!)	5	15
Records disclosed in full (new!)	19	13
No records	6	18
Refused in full	2	3
Abandoned by applicant	10	8
Withdrawn by applicant	12	3
Not recorded	1	3
Totals	101	118

*** Future reports will indicate when records are disclosed "in full" or "in part".**

Continuous Learning

The Access and Privacy Services Office is responsible to develop and deliver training to prepare FOIPP Coordinators /Alternates to perform their delegated duties. The Office is also expected to communicate information, listen to concerns, and foster a supportive learning and sharing environment for the FOIPP Community. This year, the office coordinated one Meet-Learn-Share Meeting to bring together FOIPP Coordinators and Alternates. Guest speakers at the meeting included Legal Services Departmental Solicitor Jessie Frost-Wicks and Information and Privacy Commissioner Maria MacDonald.

The Office also presented the following orientation sessions attended by FOIPP Coordinators and Alternates.

- Your Duty to Assist: A Review of Section 8
- OIPC Orders: How to Apply These to Your Work, *Presented by Jessie Frost Wicks*
- Routine Disclosure, Pro-active Disclosure or FOIPP?
- When Disclosure Is Harmful to Business Interests: A Review of Section 14
- Preparing for a Review by the Office of the Information and Privacy Commissioner
- Privileged Information Between Solicitor and Client: A Review of Section 25, *Presented by Jessie Frost Wicks*
- Duties, Powers and Functions of a FOIPP Coordinator
- All About Fees: a Review of *FOIPP Act* Regulations Sections 8 to 12
- Protection of Privacy: A Review of Part 2 of the *Act*

Miscellaneous
The Access and Privacy Services Office continued to actively participate on the Public Sector CIO Council and the Public Sector Service Delivery Council (PSCIOC / PSSDC) Privacy Subcommittee.

Investigation and Enforcement

Provincial regulations and laws are upheld on Prince Edward Island by the Investigation and Enforcement section and its force of Conservation Officers who work the highways, shores, farmlands and wild places of this province.

Conservation Officers (CO's) are peace officers whose job is to preserve and protect the province's natural resources and to uphold provincial legislation. Conservation Officers are professional, armed specialists trained to police standards and educated in environmental management. Conservation Officers focus their enforcement on the natural resource and public safety provisions of provincial legislation and federal law, including the Criminal Code.

The number of Conservation Officers in the field this past year included five full-time officers: the Chief Conservation Officer, two officers in Prince County, one officer in Queens County, and two officers in Kings County. There was also one full time seasonal Conservation Officer and a casual Conservation Officer. The Chief CO carries a full case load and works out of Queens Co. The section has two full time seasonal pesticide inspectors. The Pesticide Officers primary duties are to insure compliance of the *Pesticide Control Act* and associated regulations. A high percentage of the infractions are a direct result of complaints from the public. Investigation and Enforcement maintains offices in Souris, Montague, Charlottetown and Wellington.

Legislation Enforced by the Enforcement and Investigation Section

PROVINCIAL LEGISLATION
Environmental Protection Act
Wildlife Conservation Act
Pesticide Control Act
Trails Act
Unsightly Property Act
Automobile Junk Yards Act
Trespass to Property Act
Fire Prevention Act
Forest Management Act
Agricultural Crop Rotation Act
Off Highway Vehicle Act
Highway Traffic Act
Recreational Development Act, Parks Planning Act
Natural Area Protection Act
Beverage Container Act
Dog Act
Companion Animal Act

FEDERAL LEGISLATION

Migratory Bird Convention Act
Federal Fisheries Act
Species At Risk Act
Canada Shipping Act, Small Vessel
Criminal Code

Enforcement Statistics 2011-2013

	2011		2012		2013	
	Charges	Warnings	Charges	Warnings	Charges	Warnings
Environmental Protection Act	79	101	65	39	55	51
Wildlife Conservation Act	14	27	22	35	21	45
Migratory Bird Convention Act	01	03	04	13	03	06
Federal Fisheries Act	03	02	01	01	04	05
Automobile Junk Yard Act	01	0	02	0	12	0
Unsightly Property Act	02	0	01	0	01	0
Pesticide Control Act	04	41	09	09	09	11
Trespass to Property Act	02	02	04	04	06	07
Trails Act	04	0	04	01	03	04
Canada Shipping Act	01	0	0	01	01	0
Off Highway Vehicle Act	11	09	46	31	29	35
Highway Traffic Act	01	0	03	0	08	06
Fire Prevention Act	0	0	05	01	04	04
Agriculture Crop Rotation Act	0	01	0	01	05	0
Planning Act	0	0	0	0	0	0
Firearms Act CC	0	0	0	0	01	0
TOTALS	123	186	166	136	162	174

Justice Policy and Planning

The Justice Policy and Planning section serves as a resource to the department in the areas of justice policy development, intergovernmental and interdepartmental policy forums, and departmental planning.

The Justice Policy and Planning Section:

- provides policy analysis and advice to the Attorney General and Deputy Attorney General
- coordinates departmental criminal justice policy development;
- participates in managing the policing contract with the RCMP;
- coordinates planning for the department;
- serves as the department representative on a number of interdepartmental policy committees;
- serves as the department's liaison for federal/provincial/territorial (FPT) criminal justice committees and working groups;
- represents the provincial government at the FPT Continuing Committee of Officials on Human Rights;
- provides departmental coordination for the French Language Services Act;
- provides departmental coordination for the creation and amending of legislation;
- provides leadership and federal/provincial liaison regarding justice research and statistics; and
- provides leadership to the High Risk Offenders Advisory Committee and the Provincial I mplementation Committee for the Sex Offender Registry.

Justice Resource Service

The mandate of the Justice Resource Service is to encourage community involvement in justice issues. The Justice Resource Service provides provincial leadership on selected justice issues with an emphasis on community and social development.

Highlights and Initiatives

Crime Prevention/Community Safety

The PEI Partners for Community Safety is a knowledge and communication network where people learn from each other and make links among activities to strengthen the impact for safer communities. Everyone contributes to safer communities and there are partners from eight sectors: community organizations; community interest groups; Aboriginal justice; municipalities; provincial and federal government departments; the private sector; and police. The purpose is to work collaboratively across government and community sectors to reduce crime and create supportive environments where people feel safe and are safe.

Annual Atlantic Crime Prevention Conference

The 26th Annual Atlantic Crime Prevention Conference was held in PEI from June 5th to 7th 2013 at Holland College in Charlottetown. The theme was "Safer Communities, Better Tomorrow". The conference is led by the Atlantic Community Safety Association and produced by the Mi'kmaq Confederacy of PEI, in collaboration with the Justice Resource Service and Community Legal Information Association. This annual conference rotates among the four Atlantic Provinces.

Aboriginal Justice

Mi'kmaq Confederacy of PEI Aboriginal Justice Program

The Justice Resource Service continued to provide support to the Mi'kmaq Confederacy of PEI Aboriginal Justice Program (MCPEI AJP). The MCPEI AJP has an Advisory Committee that includes Lennox Island and Abegweit First Nations, the Aboriginal Women's Association of PEI and the Native Council of PEI. Funding for MCPEI AJP is cost-shared through Canada's Aboriginal Justice Strategy (AJS). The AJS was renewed for one year in the 2013-2014 federal budget. Successful events included the 7th Aboriginal Justice Forum held in October 2013.

Justice Policy and Planning Forum

The Canada/PEI/Mi'kmaq Partnership Agreement was signed in 2007 by the Chiefs of Lennox Island and Abegweit First Nations, the Premier of PEI, and the Minister of Indian and Northern Affairs Canada. The three leaders meet annually to ensure progress and accountability with respect to the work undertaken in accordance with the Agreement and a Coordinating Committee has been formed with representatives from each party. The Coordinating Committee selected representatives from each party to sit on each of the five Policy and Planning Forums (PPF) which are focused on justice; education; health; child and family services; and employment and economic development. The purpose of each Policy and Planning Forum is to achieve tangible positive results for the Mi'kmaq by identifying priorities and developing strategic work plans, deliverables, and performance indicators. The Justice Resource Service serves on the Justice Policy and Planning Forum. The Justice Policy and Planning Forum helped organize the 2nd Annual Gathering of the five Policy and Planning Forums. This was held in January 2014 with the theme of "Moving Forward Together in Support of the PEI Mi'kmaq" and identified themes of mental health, addictions and housing as common priorities for the next year.

A Strategy to Reduce Impaired Driving in Prince Edward Island

Impaired driving in Prince Edward Island is a significant public safety and social policy issue. This is a complex and multi-faceted issue with varying perspectives on the problem and how to address it. In October 2013, a presentation was made to Policy Board on the final report, "A Strategy to Reduce Impaired Driving in Prince Edward Island" which makes twenty four (24) recommendations under six main strategic directions: governance; public education and prevention; policing and enforcement; victim and family support; policy and legislation; and interventions with offender. The Report balances the need for immediate action with the need for long-term planning building on past and current work in various sectors.

Various Committees

The Justice Resource Service continued to represent the department on a number of committees, including several Federal/Provincial/Territorial Working Groups. The Justice Resource Service also served on the board of the Atlantic Summer Institute on Healthy and Safe Communities and the Atlantic Community Safety Association.

Policing Services

Policing services are delivered in the province by three municipal police services and the RCMP. The municipalities of Charlottetown, Summerside and Kensington operate municipal police services within jurisdictions totaling 1.3% of the provinces total land area and within which reside 37% of the island population.

RCMP "L" Division provide provincial policing services to 98.6% of the province's land area within which 63% of the island population resides. RCMP operate within the framework of the Provincial Policing Services Agreement with Canada and through Municipal Policing Services Agreements which the towns of Stratford and Cornwall have with Canada. Six communities (O'Leary, Tignish, Alberton, Borden-Carleton, Montague and Souris) have entered into an Extended Services Agreement with the province for enhanced RCMP services within the framework of the Policing Services Agreement.
The Security Services Division at UPEI provides limited policing services on campus augmented by Charlottetown Police Services.

The Police Act (the Act) prescribes a procedure for making a complaint against a municipal police officer, a chief of a municipal police service, the Director and instructing officers at the Atlantic Police Academy and security police officers employed at UPEI.

Complaints submitted in 2013	Number submitted	Investigated and substantiated	Investigated and found to be unsubstantiated	Investigated and discontinued/ withdrawn
Charlottetown Police Services	1	1	0	0
Summerside Police Services	0	0	0	0
Kensington Police Service	0	0	0	0
Security Police Officers - UPEI	0	0	0	0
Atlantic Police Academy	0	0	0	0
TOTALS	1	1	0	0

There were no reported occurrences when persons appointed pursuant to the *Act* failed to comply with the National Use of Force Framework endorsed by the Canadian Association of Chiefs of Police.

The Police Policy/Training Advisory Group (group), chaired by the Policing Services Manager, continued to refine the training and policy framework for police services. Some highlights were:

- To enhance skills of police in engaging persons displaying affects of mental health, addiction, or physiological problems, planning was commenced for inclusion of social sciences training within the Use of Force curriculum of required police training.

- The Atlantic Police Academy began providing on-line notice and summaries of court decisions thereby ensuring police remain current in case law as it applies to law enforcement. A process was established to ensure that each police service adopted procedures for officers to access the information in a timely manner.
- Ensuring police training for the requirements of the Child Sexual Abuse Protocol which came into effect in 2013.

The federal Police Officer Recruitment Fund (PORF) proceeds which were used as core funding for the Criminal Intelligence Service Prince Edward Island (CISPEI), came to an end in March 2013. The Minister secured funds for the operation of CISPEI for fiscal 2013-14. The Minister issued a directive to police services in the province to establish a criminal intelligence mechanism for the province to come into effect in April 2014.
Police Commissioner and former Chief Justice, the Honourable Gerard Mitchell, Deputy Police Commissioner Roy Ridlington and Manager/Senior Investigator Paul Stetson continued to provide the services of the Office of the Police Commissioner. The Office of the Police Commissioner is mandated by the *Police Act* to review decisions of chiefs of police and the Director of the Atlantic Police Academy regarding complaints made pursuant to the Police Act and to investigate complaints made against security police officers, chiefs of police and the Director of the Atlantic Police Academy. The Police Commissioner submitted a 2013 annual report to the Minister which is available on the Office of the Police Commissioner website: http://www.policecommissioner.pe.ca/.

The Office of the Police Commissioner hosted the annual conference of the Canadian Association of Civilian Oversight of Law Enforcement (CACOLE)in the Spring of 2013. The conference attracted participants from all over the world.

The Policing Services Manager contributed to the following working groups/committees:
- member of the national "Use of Force" policy working group;
- member of the national criminal records working group – Canadian Criminal Real Time Identification Services;
- member of the national Economics of Policing Working Group which was struck early in January 2013 to coordinate the modernization of policing in Canada.
- the Atlantic Coordinating Committee on Organized Crime, the National Working Group on Organized Crime and the National Coordinating Committee on Organized Crime;
- ex-officio member of the Provincial Executive Committee of CISPEI;
- provincial coordinating committee for Amber Alert;
- meetings of the P.E.I. Association of Chiefs of Police;
- coordinated the High Risk Offenders Advisory Committee which met on a quarterly basis and additionally as required to contribute to the effective management of high risk offenders in the community.

The Policing Services Manager, in the role of Departmental Emergency Services Officer (DESO), continued work with the Business Continuity Coordinator and implementation teams toward development of a business continuity plan for the department. The DESO continues to refine the department's emergency plan.

PEI Firearms Office

In 2013-2014 there were 39 organizations that had business licenses under the *Firearms Act*. Fourteen of these are businesses licensed to sell firearms, restricted and non-restricted, one is a theatrical company, three are armed guard companies and four are museums. Fifteen businesses are licensed to sell ammunition only. One company had a business license for firearms safety training instructional purposes only and one company is a wholesale distributor for ammunition only.

As well, there were 492 new firearms Possession and Acquisition Licenses (PALS) issued for the purpose of acquiring firearms from April 1, 2013 to March 31, 2014 and there were 755 firearms licenses renewed during this period.

There are three CFO approved shooting clubs: one in Queens County, the Big Boot Shooting Club; and two in Prince County, the Livingston Family Gun Club and the Prince County Sports Club Inc.

In addition to licensing firearms businesses, this office issued 55 Authorizations to Carry firearms to armed guards who work within the province and 436 Authorizations to Transport firearms for various purposes.

Private Investigator and Security Guards Act

In 2013-2014 the following licences were issued under this Act:

Private Investigator Company Licences - 13
Private Investigators - 14
Security Guard Company Licences - 14
Security Guards - 305

PEI Office of Public Safety

The Prince Edward Island Office of Public Safety includes the 911 Administration Office, Provincial Fire Marshal's Office, PEI Emergency Measures Organization and the Business Continuity Management Program for Corporate Government. The Division is also responsible for representing Prince Edward Island on the tri-province Maritime Radio Communications Project.

911 Administration Office

The Prince Edward Island Emergency 911 Service operates under the authority of the *Emergency 911 Act*. The E911 System is a basic call answer/transfer system.

The provincial 911 Administration Office maintains the province's Master Dictaphone System, which records, all 911 emergency calls placed on the Island. During the period April 1, 2013 and March 31, 2014, the E911 system's 14th year of operation, approximately 28,693 emergency calls were received by the province's Public Safety Answering Points (PSAPs). This is a 3.34 percent decrease in the total number of calls received (29,685) during the period from April 1, 2012 to March 31, 2013.

Emergency Measures Organization
The PEI Emergency Measures Organization (EMO) is responsible to administer the *PEI Emergency Measures Act* and to coordinate and manage emergency management activities on behalf of the province. Emergency management includes the process of mitigation, preparedness, response and recovery for the protection of persons, property and the environment in response to emergencies and disasters.

Emergency Public Information
EMO encourages and promotes public awareness of emergency management by delivering informative presentations to various groups and by providing educational material and resources to the general public.
Throughout the year Public Safety Officers participated in numerous community presentations and information sessions across the Island. Public Safety Officers conducted 12 public presentations throughout the year.

Emergency Planning
EMO continues to work with municipalities across the Island to provide guidance for emergency management. Public Safety Officers worked closely with more than 14 municipalities to provide Emergency Management awareness sessions to members of the municipal councils, and to assist - through planning, training and exercising - councils to develop Emergency Management Programs.

Training
The Emergency Measures Organization delivers emergency management training to those with a responsibility or response role to emergencies.

Throughout this fiscal year, EMO offered a combination of the classroom courses providing seven training sessions to 163 people. In addition, the Basic Emergency Management course is regularly delivered to cadets at the PEI Police Academy in Summerside. This year Public Safety Officers provided training to an additional 80 cadets.

PEI EMO also worked with external partners to develop specialized agency specific training courses to enhance emergency response capacity within their respective emergency operations centres. These training sessions required the development of new training curriculum for partners such as RCMP and UPEI. These materials are now generalized and can be delivered to any group.

Exercising
Exercising is a critical component of a comprehensive Emergency Management Program; testing plans and enhancing operational relationships between response agencies are just two of the key benefits to exercising. EMO assists municipalities, government departments, volunteer groups and the private sector to develop, coordinate and deliver emergency management exercises.

EMO staff facilitated two business continuity plan table top exercises in government departments. Exercises were facilitated with various agencies including Queen Elizabeth Hospital, Charlottetown Airport Authority and Cavendish Beach Music Festival, and EMO participated in a large federal coordinated exercise called Frontier Sentinel. This exercise saw the full activation and testing of the Provincial Emergency Operations Centre and team.

Search and Rescue
The Emergency Measures Organization holds the responsibility for ground search and rescue in the province. RCMP, are delegated through the Provincial Policing Agreement to coordinate and manage PEI Ground Search and Rescue training and response activities. EMO staff bring together provincial government resources to support land, marine, and air search and rescue services; to determine the availability of support, and establish direct liaison between the responsible authorities and the providers of resources and services. There were four activations of the Ground Search and Rescue team during the fiscal year.

Provincial Emergency Operations Centre (EOC)
The Provincial Emergency Operations Centre monitors events locally, regionally and worldwide. Emergency preparedness messages are disseminated to the public regularly. If required the EOC may be activated, additional staff may be called in or placed on stand-by in accordance of the severity of the event.

The EOC was activated, or monitoring at an appropriate level, for the following events during the F/Y 2013/2014:

- *Level 2 activation - Ammonium Nitrate truck rollover Dec 19, 2013 - 4 hrs event activation*
- *Level 2 activation - Severe Weather Event March 26, 2014 - 53.5 hrs event activation*
- *Level 2 activation - Severe Weather Event March 31, 2014 - 31.5 hrs event activation*

Risk Assessment:
Threat and Risk Assessment is a critical first step in understanding hazards. PEI EMO led and facilitated the delivery of Hazard Risk Assessments in all Health PEI 24/7 facilities as part of their accreditation and emergency management program development. During the fiscal year PEI EMO conducted 33 assessments.

Office of the Provincial Fire Marshal

The Office of the Provincial Fire Marshal administers the *Fire Prevention Act and Regulations* as well as the *National Fire Safety Codes and Standards (NFPA) outlined in the Codes and Standards Regulations of the Act.*

The mandate of the office is to provide information, education, and leadership to fire departments and various institutional, municipal, and emergency service officials across the province to enhance their capabilities to protect citizens from the devastation of fire and all related hazards.

Fire Inspections

Fire Inspections make up a large portion of the workload within the FMO. The FMO has the power to inspect buildings under section 12 of the *Fire Prevention Act*.

Fire Inspection (Occupancies) conducted by the FMO in 2013-2014:

Schools / Fire Drills:	49
Day-cares kindergartens:	102
Community Care/ Nursing Home:	37
PEIHC:	132
Quality Tourism:	18
Complaints:	32
Capacity / Overcrowding:	42
Other:	33
Total:	445

As the Island tourism industry grows and expands throughout Prince Edward Island mass gatherings and special events are becoming the norm. The Office is responsible for setting the occupant capacity for these events and ensuring that fire prevention measures are met.

Special Events Permits issued in 2013-2014	61
Occupant Capacity Permits issued in 2013-2014	92
Fireworks Permits issued in 2013-2014	33

Burning Permits are issued by the Fire Marshal's Office for structures that are either still standing *or torn down.*

Burning Permits issued by the FMO in 2013-2014	47

Fire Investigations

The FMO, when requested by an Island fire or police service, conducts origin and cause determination at fire incidents that have occurred within a structure or property. In the 2013-2014 calendar year the Office conducted 118 of these investigations with the vast majority of these occurring after business hours.

Rulings

Accidental:	68
Incendiary:	24
Undetermined:	26

Fire Deaths in April 1, 2013- March 31, 2014: 8

Plans Review

When a building permit application is submitted to the Province for approval and falls into the category of commercial, or rental residential those applications and plans submitted are reviewed by FMO staff to the applicable codes and standards adopted by the Province in the *Codes and Standards Regulations* as outlined in section 2(1) of the *General Regulations* of the *Fire Prevention*

Act. Some Municipalities that issue their own building permits under their Official Plan forward their applications and plans for review to the FMO as no fire code expertise exists within their own Municipality.

Plans Reviews conducted by the FMO in 2013-2014: 175

Public Education
Public Education has proven to be an effective tool in fire prevention and reducing fire losses in other Jurisdictions and Municipalities.

The Fire Marshal and Deputy Fire Marshal try to schedule and participate in events and messaging throughout the year. Fire investigations that are ruled accidental now carry a fire prevention theme with the release of the findings to the media.

Fire Services
The Island Fire Service is made up of 36 Fire Departments operating out of 38 fire stations with a little over 1000 volunteers and a small numberof career firefighters from Charlottetown and Summerside Fire Departments.

The Province of Prince Edward Island grants one motor vehicle registration and motor vehicle license to every active member of the Island Fire Service.
Motor Vehicle Registration/License Forms issued by the FMO in 2013-2014: 1183
Personal Vehicle Red Light Permits issued by the FMO in 2013-2014: 23

Critical Incident Stress Management Team
The FMO, in collaboration with Critical Incident Stress Management committee (CISM), received resource funding through Bell Aliant's "Let's Talk" program to develop and deliver an awareness level training program to the Island Fire Service on recognizing Critical Incident Stress after an emergency call. Volunteer First Responders are being called out to more motor vehicle accidents and serious medical calls and being exposed to more critical stress. The CISM are volunteers that come from various emergency and mental health backgrounds.

Fire Service Recognition
Recognition of the Island Fire Service comes in the form of two medals that are administered by the Fire Marshal`s Office. The Fire Service Exemplary Medal (20 years) is the Federal medal issued by the Chancellery out of Rideau Hall.

Fire Service Response for 2013-2014 by Island Fire Departments

Alarm	774
Boiler Malfunction	5
Brush Fire	66
CO Alarm	7
Cooking Fire	37
Dryer Fire	4
Electrical Fire	30
Electrical Pole Fire	56
Flare Up	8
Flue Fire	122
Fuel Spill	19
Furnace Malfunction	2
Garbage Fire	22
Grass Fire	37
Haz-Mat	8
Kitchen Fire	17
MFR	798
Mutual Aid	109
MVA	420
Outside Fire	35
Propane Leak	23
Smoke Investigation	55
Sprinkler Malfunction	5
Structure Fire	191
Vehicle Fire	76
Water Rescue	27
Total	2,954

Rural Fire Districts

Number of Rural Fire Districts within the Province: 32

Rural Community Fire Companies

The Island Fire Service is made up of two response entities, those being Municipal Fire Departments (25) that have overall governance from the local Municipality and the second are Rural Fire Companies (11) that operate in a Rural area where there is no Municipality or where the Municipality does not wish to directly oversee Fire Protection Services.

Number of Rural Fire Companies within the Province: 13
Number of Municipal Fire Departments within the Province: 23

Hazardous Material Response
After the events of September 11, 2001 Governments started to focus emergency response resources towards Hazardous Materials and CBRNE (Chemical, Biological, Radiological, Nuclear, and Explosive) incidents.

Number of members on the Hazardous Materials Response Team: 24

Prince Edward Island Fire Service Advisory Committee:
The Fire Services Advisory Committee addresses many issues of concern, including recruitment, retention, and training. The committee provides government with recommendations to address the key issues.

2015

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